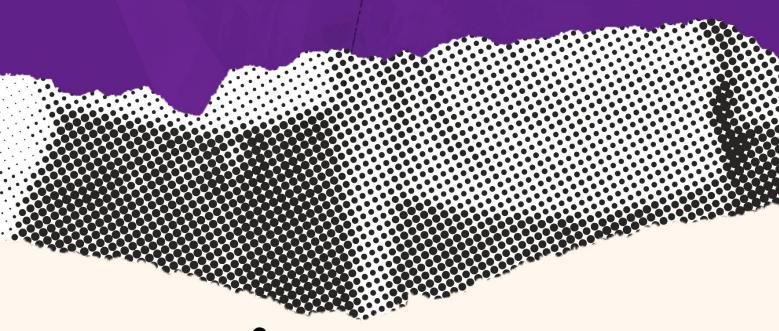


Institutional violence against immigrant women:
A case study in the city of Valencia









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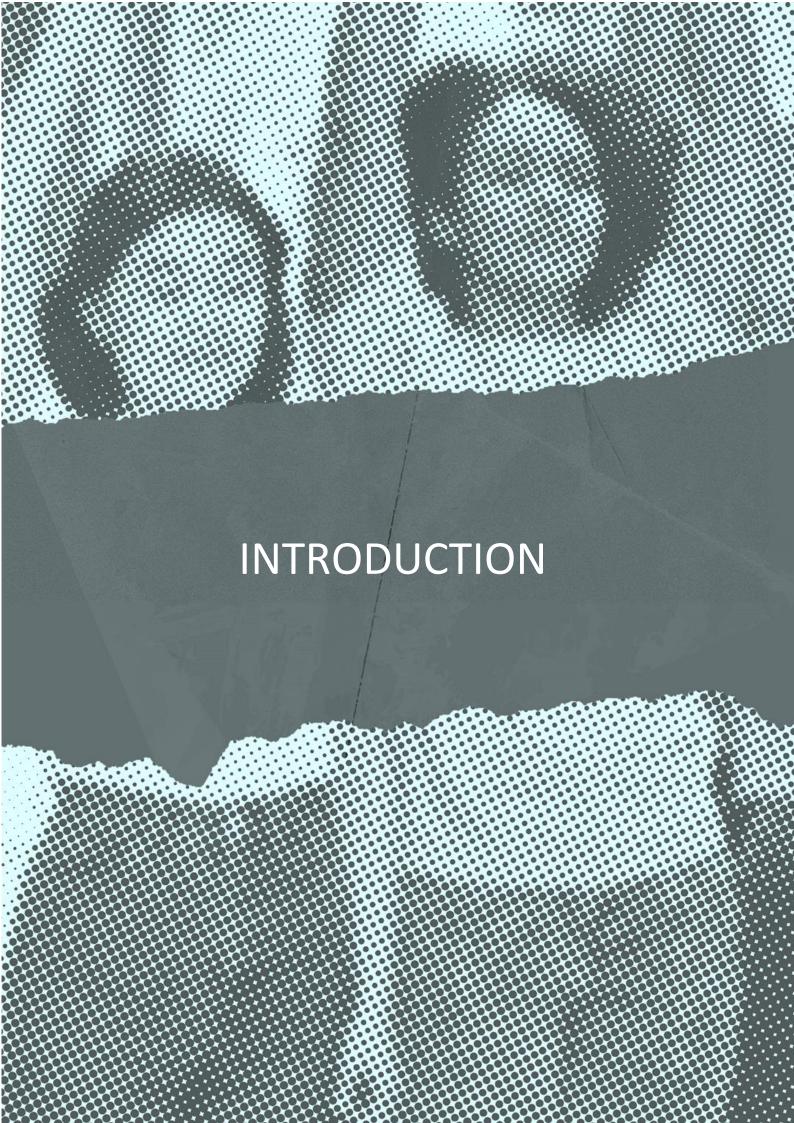
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I. Introduction

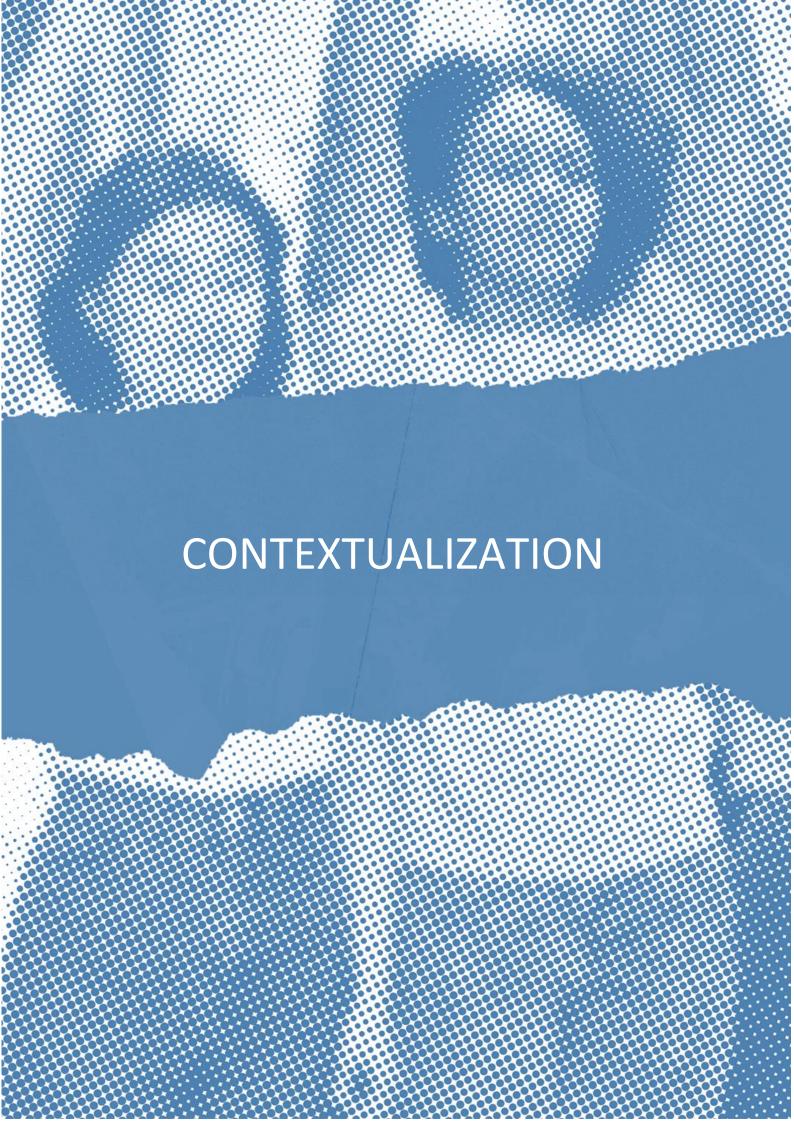
According to the World Migration Report published in 2022, by the International Organization for Migration (IOM) of the United Nations, Spain ranks tenth as a destination country for international migration. But what leads people to leave their home country and settle in another? The vast majority do so for family, employment, and educational reasons, among others. Often, these other reasons are tragic, such as conflicts, persecution, or natural disasters. In addition, social and gender-based violence also forces many women to make a decision that will shape their lives and force them to deal with migration grief in a society that, in many cases, violates their most fundamental human rights.

During the migration process, immigrants in Spain face challenges and obstacles to fully enjoy their rights, a situation that multiplies for women from an intersectional perspective. Despite decades of commitment by states through various instruments and declarations to eliminate violence against women, patterns that perpetuate it still exist. In this regard, a critical look at states and the behavior of their institutions, and therefore the personnel working in them, directly points to a type of violence that still lacks a universal definition: institutional violence. For this reason, and in the context of a global migratory phenomenon, this research focuses on the entire process of residing in Spain for immigrant women, as a case study in the province of Valencia in the exercise of their rights and citizenship.

Although there is still debate about its existence as such, there is already evidence that allows us to identify acts that harm immigrant women as a result of their relationships with institutions, acts that are perpetrated or tolerated by the state. These patterns of discrimination, as well as tolerance and impunity towards them, speak of a phenomenon of institutional violence that produces exclusions, inequality, and limitations in the exercise of the rights of immigrant women. It is the result of a system that shapes regulations, institutional behavior, and social practices that prevent these women from having the same opportunities as local people.

This research is aimed at identifying how institutional violence towards immigrant women is reproduced in Valencia and its metropolitan area, as a manifestation of the exercise of power that can cause harm or reinforce structural oppression and hinder or obstruct the full enjoyment of their rights. To do this, a qualitative research methodology was implemented with a gender, intersectional, and human rights-based approach. Interviews, focus groups, and participant observation were used for data collection.

The document consists of nine chapters. The first and second chapters are the introduction and the context of the study object. The third chapter deals with the research methodology. The fourth chapter presents the theoretical framework, while the fifth chapter covers the sociodemographic profile of the sample. Chapter six refers to the core analysis of the phenomenon based on the research findings, under the title "Institutional Violence against Immigrant Women," which serves as a prelude to the seventh chapter that addresses this institutional violence from a women's perspective. Chapters eight and nine contain the conclusions and recommendations, respectively.



II. Contextualization

The consolidation of a new globalized socio-economic order in contemporary societies has altered migratory flows in recent decades. In Southern Europe, Spain is one of the countries with a significant foreign population, given its geographical, cultural, and productive characteristics, among other factors, especially in coastal areas like the Valencian Community. Therefore, the presence of foreign population both in the Valencian Community and in the city of Valencia has increased exponentially in recent years.

According to the Continuous Population Statistics (ECP) Report from the INE, as of April 1, 2023, Spain is home to 48,196,693 people, of which 8,307,497 are of foreign origin. Additionally, during the first quarter of 2023, nearly 173,000 people have arrived in Spain. The annual population variation in the 2022 census is 0.20 for the total population, 1.90 for the foreign population, and 0.00 for the Spanish population.¹ These data reflect the progressive growth of migration flows at the national level. Overall, regarding the total foreign population, the presence of people from Morocco (15.75%), Romania (11.32%), Colombia (5.68%), the United Kingdom (5.29%), Italy (4.97%), China (4.04%), and Venezuela (3.83%) stands out nationally.²

At the regional level, the Valencian Community had a total of 5,097,967 registered residents in 2022, representing a 0.01% variation compared to 2021. Of the total population of the Valencian Community, 784,469 people (15.39%) are of foreign origin, which represents a 0.04% variation compared to 2021. These numbers indicate that the foreign population increased by 32,853 people between 2021 and 2022. It is worth noting that out of all the immigrant women in Spain, 14.16% are in the Valencian Community.³

However, given the difficulties many immigrants face when registering in their municipality of residence, it is necessary to cross-reference the amended demographic data since it only accounts for the percentage of registered foreign population. Despite the Spanish immigration system being one of the most flexible in Europe, it is estimated that a significant portion of the foreign population living in Spain is in an irregular administrative situation, making it impossible to obtain accurate figures. One piece of evidence is the reduction in the registered foreign population in the Valencian

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¹ INE (2023). Estadística del Padrón continuo: últimos datos. Recuperado de: https://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica_C&cid=1254736177012&menu=ultiDatos&idp=1254734710990

² Observatorio de las Ocupaciones (2023). *Informe del Mercado de Trabajo de los Extranjeros Estatal.* Madrid: Servicio Público de Empleo Estatal. Pág. 13. Recuperado de: file:///C:/Users/Usuario/Downloads/IMT-EXTRANJEROS-2023-DAT-2022.pdf

³ INE (2023). Cifras de Población (CP) y Estadísticas de Migraciones (Em): Primer trimestre de 2022. Notas de prensa. Recuperado de: https://www.ine.es/prensa/cp_j2022_p.pdf

Community between 2008 and 2018, with a variation of -21.52% and a net decrease of -182,418.⁴

In 2015, it was estimated that 15.43% of the total foreign population residing in the Valencian Community was in an irregular administrative situation, based on the difference between the total number of registered foreign individuals and those with residency permits.⁵ This has implications for obtaining a work permit and a decent salary for the immigrant population, leading to a situation of legal and social vulnerability during the duration of their administrative regularization process. This process typically takes an average of 5 to 10 years when done through the application for social integration.

Meanwhile, the risk of poverty or social exclusion AROPE rate⁶, stood at 26.0% of the resident population in Spain in 2022, down from 27.8% the previous year. In 2021, 65.2% of the non-EU immigrant population in Spain was at risk of poverty or social exclusion, representing a 7.2% increase from 2020. This figure was 40.3% for the EU foreign population (-3.1% compared to 2021) and 23.6% for the national population (+1% compared to 2020)⁷. Therefore, the foreign population is one of the social groups with the highest risk of poverty or social exclusion.⁸

At the same time, migratory status magnifies gender-based violence, especially in cases where there is fear of affecting one's administrative status through the act of reporting, requesting a protection order, or ending a relationship with the perpetrator. This leads to scenarios of silence or normalization of violence, as well as distrust of institutions, with the majority of cases going unnoticed, particularly when the victim is a low-income immigrant woman with language barriers. It is estimated that the risk of being a fatal victim of gender-based violence is six times higher for foreign women than for Spanish women. In 2022, 32.7% of the fatal victims had foreign nationality (16 out of 33).⁹ In this regard, the lack of family and support networks, as well as language

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⁴ Pérez, F., Antuñano, I., & Rosell, I. (2019). *Evolución reciente, situación actual e impacto socioeconómico de la inmigración en la Comunitat Valenciana.* Valencia: Laboratorio de Análisis de Políticas Públicas - IvieLAB. Pág. 18. Recuperado de: ttps://argos.gva.es/documents/165533218/169881490/Informe+1 La+inmigraci%C3%B3n+en+la+Comunitat+Valenciana.pdf/e12ff757-cc61-4365-b19f-35dd3204b19f

⁵ Mora, A. (Dir.) et.al. (2018). *Informe jurídico-social sobre la situación de las personas inmigrantes en la Comunitat Valenciana*. Instituto de Derechos Humanos de la Universitat de València.

⁶ La tasa de riesgo de pobreza o exclusión social AROPE (At Risk Of Poverty or social Exclusion) se creó en 2010 a efectos de medir la pobreza relativa en Europa ampliando el concepto de la tasa de riesgo de pobreza, que solo contempla los ingresos. La tasa AROPE se define como aquella población que está al menos en alguna de estas tres situaciones: en riesgo de pobreza, carencias materiales y sociales severas y baja intensidad en el empleo.

⁷ INE (2023). Encuesta de Condiciones de Vida (ECV): Primer trimestre de 2023. Notas de prensa. Recuperado de: https://www.ine.es/prensa/ecv_2022.pdf.

⁸ Lorente, R. (Dir.) et.al. (2017). *Diagnóstico de necesidades sociales en la ciudad de Valencia*. Universitat de València per a la Regidoria de Serveis Socials de l'Ajuntament de València. El estudio correlaciona la presencia de mujeres o personas extranjeras en los hogares con un mayor riesgo de exclusión social, especialmente en cuanto al riesgo de pobreza monetaria.

⁹ INE (2023). Víctimas mortales por violencia de género. Recuperado de: https://www.ine.es/ss/Satellite?L=es ES&c=INESeccion C&cid=1259926144037&p=1254735110672

barriers, are identified by the General Secretariat of Immigration and Emigration as the main factors contributing to gender-based violence against immigrant women.

The origin of women also conditions their employment prospects. Each year, many immigrants arrive in Spain for various reasons, but in all cases, the primary motivations are seeking well-being through new job opportunities that provide economic support and a better quality of life for their families. Several variables directly affect the employability of women, with a clear gender-based inequality in accessing the labor market, as evidenced in the gender pay gap.

The European Commission defines the gender pay gap as "the relative difference in the average gross income of women and men within the economy as a whole," which is observed in the disparity in income earned by women and men. According to data from the "Yo trabajo gratis" campaign report by the General Union of Workers (UGT)¹⁰, the gender pay gap in Spain is 9.4%, meaning that women effectively work for free for 34 days each year. Regarding employment disaggregated by gender, in 2021, there were 389,960 women with work permits in the Valencian Community, and specifically in the province of València, there were 144,260 women. For the first quarter of 2023, the employment rate for immigrant women was 26.6%.¹¹

According to the Report on the Integration of the Foreign Population into the Spanish Labor Market¹², during the expansion phase from 2000 to 2007, almost half of the GDP growth was supported by population growth. In turn, 82% of the population growth was due to immigration. In the Valencian Community, the foreign population contributed to economic growth by 31.6% between 2002 and 2018. Their major contribution to the GDP rates is based on the significant population growth ¹³. In essence, the entire population increase in Spain over the last five years has been characterized by the integration of foreign individuals into the labor market. The population in the potentially active age group comprises 78% of foreign individuals and 63% of Spanish individuals¹⁴. Regarding foreign females, 52.7% are potentially active.

<u>&pagename=ProductosYServicios%2FPYSLayout#:~:text=De%20las%2049%20v%C3%ADctimas%20mortales,hab%C3%ADan%20nacido%20en%20el%20extranjero</u>

¹⁰ UGT (2022). Informe de Campaña "Yo trabajo gratis". Recuperado de: https://www.ugt.es/sites/default/files/211111_-campana_yo_trabajo_gratis.pdf

¹¹ INE (2023). Encuesta de Población Activa (EPA) y Estadística de Flujos de la Población Activa (EFPA): Primer trimestre de 2023. Notas de prensa. Recuperado de: https://www.ine.es/daco/daco42/daco4211/epa0123.pdf

¹² Casado (2022), op.cit., Pág. 25.

Pérez, F., Antuñano, I., & Rosell, I. (2019). Evolución reciente, situación actual e impacto socioeconómico de la inmigración en la Comunitat Valenciana. Valencia: Laboratorio de Análisis de Políticas Públicas - IvieLAB. Pág. 8. Recuperado de: https://argos.gva.es/documents/165533218/169881490/Informe+1_La+inmigraci%C3%B3n+en+la+Comunitat+Valenciana.pdf/e12ff757-cc61-4365-b19f-35dd3204b19f

¹⁴ Consejo Económico y Social de España. (2019). *Informe sobre la Inmigración en España: Efectos y Oportunidades*. Madrid: Consejo Económico y Social de España. Pág. 189. Recuperado de: https://www.ces.es/documents/10180/5209150/Inf0219.pdf.

¹⁵ Casado, R. M., & Moral, E. M. (2022). *Informe sobre la Integración de la Población Extranjera en el Mercado Laboral Español.* Madrid: Observatorio Español del Racismo y la Xenofobia (OBERAXE). Pág.

In terms of the productive structure in the Valencian Community, immigration has allowed for the fulfillment of labor demand in various sectors, such as services, industry, construction, and agriculture. However, it is worth noting that Spain has two distinct labor market situations: while the Spanish population and foreigners from European Union countries access jobs with better labor conditions and stability, foreign individuals from non-EU countries with low or medium income engage in employment with worse conditions, greater temporariness, and instability. From this, it can be concluded that immigrant women face a double occupational structure skewed toward unskilled jobs.

In this way, the conditions of labor supply are a determining factor in the characteristics of the jobs accessed by the immigrant population, where there is a persistent lack of quality in employment. This situation worsens when the hired individual is in an irregular administrative situation. Generally, job offers accessed by the foreign population from non-EU countries come with disadvantages compared to those accessible to the national population and EU foreigners. These disadvantages include:

- Temporality of employment contracts determined by the type of workday and the branches of activity performed¹⁹
- Informal hiring through verbal agreements related to seasonal and temporary work²⁰
- Lack of Social Security registration, as affiliation depends on the formality of the contract and job qualifications²¹
- High wage gaps based on nationality (Spanish-foreign) due to unequal job characteristics and access to higher education²²

31. Recuperado de: https://inclusion.seg-social.es/oberaxe/ficheros/documentos/Integraciondelapoblacion.pdf.

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¹⁶ Pérez, F., Antuñano, I., & Rosell, I. (2019). Evolución reciente, situación actual e impacto socioeconómico de la inmigración en la Comunitat Valenciana. Valencia: Laboratorio de Análisis de Políticas Públicas - IvieLAB. Pág. 27. Disponible en: https://argos.gva.es/documents/165533218/169881490/Informe+1 La+inmigraci%C3%B3n+en+la+Comunitat+Valenciana.pdf/e12ff757-cc61-4365-b19f-35dd3204b19f

¹⁷ Valero-Matas, J. A., Coca, J., & Valero-Oteo, I. (Abril-Junio, 2014). *Análisis de la inmigración en España y la crisis económica*. Papeles de Población, 20(80), 9-45. Recuperado de: http://www.scielo.org.mx/scielo.php?script=sci_arttext&pid=S1405-74252014000200002&Ing=es&tlng=es.

 ¹⁸ Consejo Económico y Social de España. (2019). *Informe sobre la Inmigración en España: Efectos y Oportunidades*. Madrid: Consejo Económico y Social de España. Pág. 112. Recuperado de: https://www.ces.es/documents/10180/5209150/Inf0219.pdf.
 ¹⁹ Ibid. Pág. 115.

Casado, R. M., & Moral, E. M. (2022). Informe sobre la Integración de la Población Extranjera en el Mercado Laboral Español. Madrid: Observatorio Español del Racismo y la Xenofobia (OBERAXE). Pág.
 Recuperado de: https://inclusion.seg-social.es/oberaxe/ficheros/documentos/Integraciondelapoblacion.pdf.

²¹ Pérez, F., Antuñano, I., & Rosell, I. (2019). *Evolución reciente, situación actual e impacto socioeconómico de la inmigración en la Comunitat Valenciana*. Valencia: Laboratorio de Análisis de Políticas Públicas - IvieLAB. Pág. 31 Recuperado de: https://argos.gva.es/documents/165533218/169881490/Informe+1_La+inmigraci%C3%B3n+en+la+Comunitat+Valenciana.pdf/e12ff757-cc61-4365-b19f-35dd3204b19f.

²² Casado, R. M., & Moral, E. M. (2022). op.cit., Pág. 66

- Overqualification for jobs due to disparities between the level of employment and the level of education, as well as delays in the homologation of university degrees²³
- Multiple employment²⁴ and work schedule burdens, which reveal differences in poverty or social exclusion indicators.

Another compelling evidence of violence and violation of the rights of immigrants is manifested in Immigration Detention Centers (CIE). The Jesuit Service for Migrants in Spain (SJM) presented a report on CIEs²⁵, where it compiles evidence of the restriction or denial of rights of the people interned, which begins with the deprivation of their ambulatory freedom as a precautionary measure in expulsion and return procedures. With 2,082 people interned as of 2022²⁶, the SJM advocates for the end of internment and the closure of CIEs. These are the conditions that the SJM denounces, which includes reports from the Ombudsman acting as the National Mechanism for the Prevention of Torture. The SJM's CIE report compiles mistreatment, bad practices concerning the will of some people to seek international protection or for victims of gender violence, as well as hindrances to communication and health rights, among others.

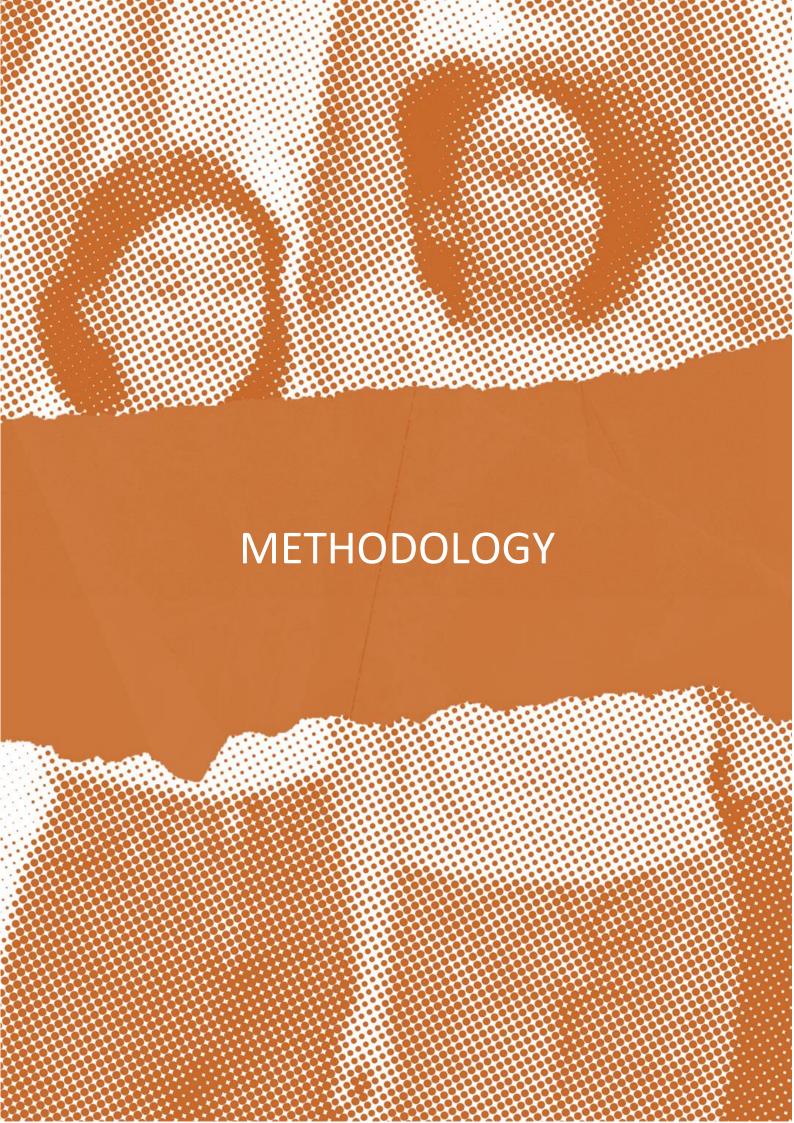
In this context, a series of variables become a chain of obstacles, misinformation, exclusion, and discrimination where administrative status is prioritized over the individual. This is where the scenarios that allow for manifestations of institutional violence affecting the full enjoyment of rights for immigrant women begin to take shape, thus hindering genuine social cohesion. Too often, xenophobia, racism, exclusion, and discrimination, especially institutional discrimination, feed a discourse and practices that harm them.

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²³ Casado, R. M., & Moral, E. M. (2022). op.cit., Pág. 48.

Red Acoge. (2017). III Informe de Atención Psicosocial a Mujeres Inmigrantes de Red Acoge. Madrid: Red Acoge. Pág. 14. Recuperado de: https://redacoge.org/wp-content/uploads/2020/11/Atencio%CC%81n-Psicosocial-a-Mujeres-Inmigrantes_v05.pdf.

Servicio Jesuita a Migrantes España (2022). Diferencias que generan Desigualdad: Informe CIE 2022. Recuperado de: https://sjme.org/wp-content/uploads/2023/06/Informe-CIE-2022-SJM.pdf
 Informe anual 2022 del Defensor del Pueblo. Citado en Servicio Jesuita a Migrantes España (2022). Op.Cit. Pág 12.



III. Methodology

This research is a case study aimed at identifying and profiling the phenomenon of institutional violence against immigrant women in the Valencian Community. The research methodology is based on a qualitative perspective, applying a critical and reflective analysis from a cross-cutting approach based on human rights, gender, and intersectionality.

The research techniques for data collection included structured interviews, in-depth interviews, participant observation, and focus groups with immigrant women and professionals from the third sector.

III.1 Phases of the research

The research methodology was divided into three phases. The first phase was exploratory, involving a review of documentary and bibliographic backgrounds, as well as the collection and analysis of information from public, private, organizational, and academic sources to approach relevant aspects related to the existence of institutional violence. The second phase was descriptive, aimed at identifying the context and manifestations of institutional violence. This phase included interviews and participant observation with Por Ti Mujer's service users. The third phase was analytical, involving the construction of a characterization of the experiences, perspectives, and needs of immigrant women in the face of institutional violence. This was based on the systematization of information, an analysis of the findings, and the subsequent writing of the report.

Table 1. Research Methodological phases

PHASES	EXTENT	TECHNIQUES	PRODUCTS	
Phase I Approach to relevant aspects	Recognition of the phenomenon of study: institutional violence	Documentary and bibliographic review	Exploration and approach to the concept of institutional violence	
Phase II Identification of institutional violence context	Detailed understanding of the	Structured and in- depth interviews	Description of the sociodemographic profile of the	
	profile of immigrant women in the face of institutional violence	Participant observation	interviewees and their experiences with institutional violence	
Phase III Characterization of perception and opinions	Perceptual analysis	Focus groups	Perception matrix built from the perception of	
	and reflections on institutional violence	Systematization and analysis of information and report writing	PTM users and representatives of the third sector	

III.2 Data and research sources

The research data was acquired from primary sources, primarily from information from interviews, testimonies, and contributions from Por Ti Mujer users. There was also information collected from technicians and professionals who work with the immigrant population in Valencia. Below are the sources for data collection based on the proposed techniques:

Table 2. Data and research sources

PHASES	TECHNIQUES	DATA	SOURCES	
Phase I Approach to relevant aspects Documentary and bibliographic review		Public policy instruments, studies, regulations and statistics	International, national and Spanish regional legislation National Institute of Statistics - INE Reports, studies and background investigations	
Phase II Identification of the context and manifestations of institutional violence	Structured interviews	Interview instrument divided by thematic blocks	Detailed information from users of Por Ti Mujer	
	Participant observation	Reports of in-depth interviews and experience of service to users	Testimonials from users of Por Ti Mujer	
Phase III Characterization of perception and opinions	Discussion groups Systematization and analysis of information	Log of discussion topics Systematization file	Contributions from users of Por Ti Mujer and the Third Sector	

III.3 Information collection techniques

The techniques for collecting information included interviews, participant observation, and focus groups. From these, a sociodemographic profile of the interviewed women, who represent a sample of Por Ti Mujer users, was obtained. This helped define the areas in which institutional violence manifests and created a perception matrix characterizing the experience of institutional violence from the perspective of immigrant women in Valencia.

III.3.1 Interviews

A total of 45 structured telephone interviews were conducted, and the information gathered allowed for the identification of relevant patterns to develop an understanding of the study's phenomenon. Out of these, 10 interviews included an additional in-depth

interview element to gain a more detailed understanding of the participants' testimonies.

The questions were organized into thematic blocks that had explanatory power regarding the relationships of immigrant women with public institutions. These thematic blocks, covering structural factors, were divided into four categories: population range and administrative, employment, and housing conditions; barriers to access economic, social, and cultural rights; the provision of basic public services for initial reception; and lived experiences as immigrant women in relation to institutional practices.

Table 3. Categories of the thematic blocks of the interviews

CATEGORIES	THEMATIC BLOCKS					
Population Range and Situation	General information	Population		Employment and housing situation		
Barriers to acces the DESC	Economic barriers	Social and political barriers	Accessibility barriers	Cultural barriers		
Basic services of first	Social services	Educational services Sanitary services		Prison services or minor centers		
reception and experience	Consular services Public services		Legal assistance	Security forces		
Experiences	Own experience as a woman		Feelings			

The information collected from the structured interviews was organized for relevant analysis. Additionally, the longer phone calls were recorded for subsequent in-depth analysis, considering the qualitative profile of the data collection instruments.

III.3.2 Participant observation

Participant observation allows immersion in the context of the phenomenon under study. The main objective of using this method was to obtain a detailed and in-depth understanding of the object of study and the phenomenon in question: institutional violence against immigrant women. Although the technique poses challenges, one of its main advantages is that it provides a deeper understanding of what we want to investigate.

It was carried out by interacting with users of the Por Ti Mujer Association, allowing for first-hand knowledge of the experiences and contexts of some immigrant women who have reported experiencing institutional violence. From this perspective, this technique allowed for a deeper understanding of the experiences, perspectives, and needs of the users, as well as insight into the behavior and dynamics of interaction within their social and cultural environment. It's worth noting the empirical experience of the institution in recent years in providing assistance to these women as a relevant background for this research.

The institutional violence experienced by immigrant women was segmented into areas related to institutional practices and personal experiences. Institutional practice areas included administrative, economic, social, and political aspects, as well as access to public services for initial reception (healthcare, legal, social, education, law enforcement, among others). In the personal sphere, the focus was on barriers to social and cultural integration.

III.3.3 Focus groups

Focus groups were used to collect information and opinions from immigrant women and professionals in the third sector regarding their experiences with public institutions. These focus groups provided a physical space where participants could feel safe discussing the proposed topic. This technique offers the opportunity to gather a wide range of opinions and perspectives, as well as the chance to observe the behavior and interaction among those who participate.

Two focus groups were formed with different participant profiles. On one hand, a group was composed of immigrant women in Valencia, representing a sample of the user base of Por Ti Mujer. The other group consisted of technicians and professionals working with the immigrant population in Valencia.

III.3.3.1 Discussion group with users of the Por Ti Mujer Association

Four focus groups were conducted with 19 immigrant women in Valencia who are users of Por Ti Mujer's services. These spaces facilitated the exchange of perspectives and situations related to their interactions with public sector entities from the perspective of immigrant women's experiences. They allowed for a comparison of different perceptions and experiences among the participating women.

III.3.3.2 Focus group with technicians and professionals from the third sector

The focus group was conducted with professionals from the third sector who work with immigrant women and are likely to encounter situations of institutional violence.

Fourteen individuals representing ten third-sector organizations participated in this group. The attending organizations were as follows:

Table 4. Third sector organizations participating in the discussion group.

Asociación Valencia Acoge	Asociación YMCA
Asociación Cultural Casa del Perú	Fundación CEPAIM
Asociación Rumiñahui	Asociación Por Ti Mujer
Asociación Plataforma Intercultural de España – PIE	Asociación Civil JARIT
Fundación Novaterra	Asociación Movimiento contra la Intolerancia – Valencia

As part of the dynamics of the focus group with technicians and professionals from the third sector, a discussion was conducted using a comparative matrix to relate areas and factors of institutional violence against immigrant women. The areas included aspects of administration, economics, social, political, cultural, educational, health, legal, and state agents and forces. The factors included aspects related to the immigrant population, such as gender, age, country of origin, language, ethnic appearance, and religion. Here is a visual example of the matrix:

Table 5. Comparative matrix of areas and factors in the context of institutional violence.

	FACTORS					
AREAS	Gender	Age	Country of origen	Language	Ethnic appearance	Religion
	Situation	Situation	Situation	Situation	Situation	Situation
Economical						
Social						
Political						
Cultural						
Legal						
Administrative						

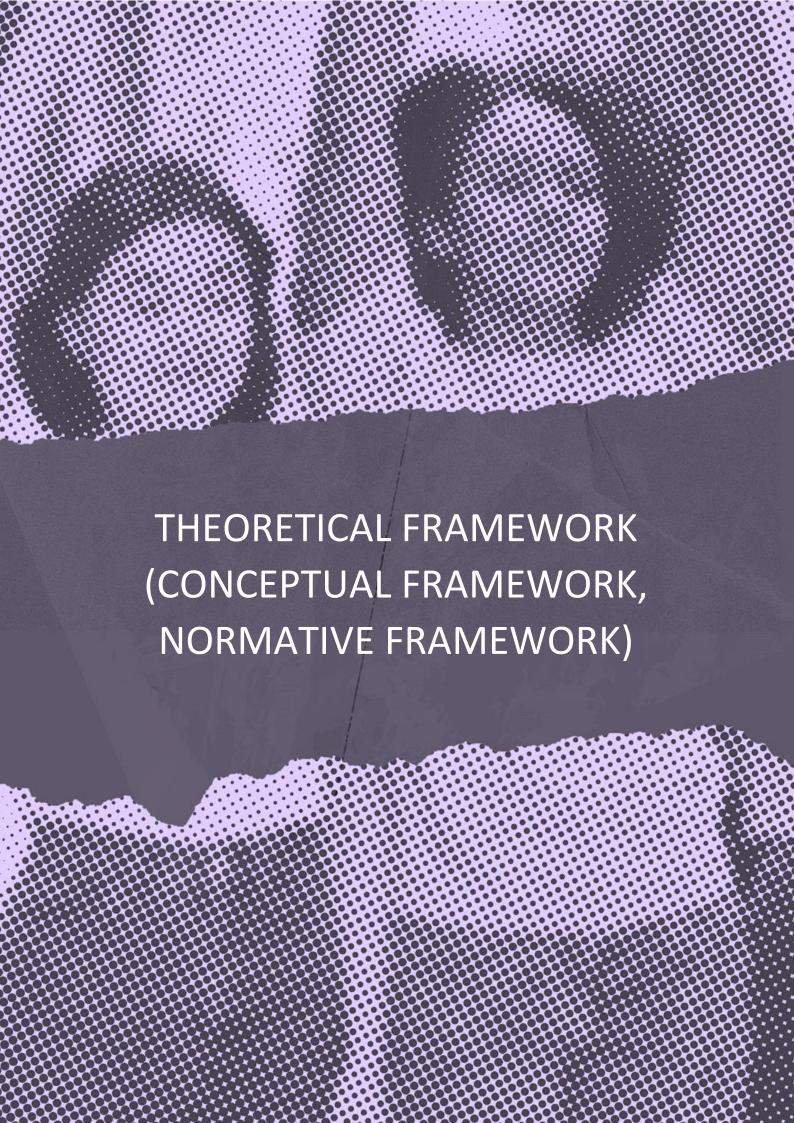
Educative			
Sanitary			
State security forces and law enforcement officials			

From an institutional reflection perspective and continuous improvement, there was a space included for proposing "best practices" with the main goal of addressing some of the existing gaps in terms of providing services to immigrant women. This was essential in developing a Decalogue of Best Practices to combat Institutional Violence. (Decálogo de Buenas Prácticas para poner cerco a la Violencia Institucional.)

The discussion with the representatives of the third sector had a participatory format to identify and contextualize each of the relationships between factors and areas. This debate confirmed that barriers to access and lack of information from entities/resources that benefit immigrant women in their reception process are manifestations of institutional violence. Likewise, elements were identified for the construction of a participatory definition of institutional violence, emphasizing differential treatment by the administration, cultural stereotypes, action-omission with a racist tint, the need for an intersectional perspective, among others. Some results of these discussions can be seen in the following image.

A paradox: the It has a the major factor is cultural Differential third sector is physical implication: subsidied by public treatment by the appearance with language. institutions that administration racial accent exercise the same ressemblance violence This violence occurs both in action and in omission, based It's not just about It is observed in on how public services are appearance or the visual aspect, but also simply by designed: healthcare, having a background, by ACTION-OMISSION, it can be administrative, not having a foreigner racist by NOT doing identification number (NIE) educational, state something security forces, etc. In institutions, migrant Different treatment More women are assisted by towards people inclusive racist workers who who do not belong handle very sensitive actions are to or comply with situations for them the hegemonic needed European culture

Graphic 1. Ideas identified in the Discussion Group.



IV. Theoretical framework (conceptual framework, normative framework)

The theoretical framework consists of a conceptual framework that addresses a historical perspective on the recognition of violence against women in order to approach the phenomenon of institutional violence against women. Meanwhile, the normative framework addresses international, national, and, where applicable, regional laws, regulations, decrees, and norms with the purpose of identifying the handling of these forms of violence from a gender perspective. It is worth noting that, with the exception of one regional case, no normative framework addressing the specific concept of 'institutional violence' from a gender perspective has been identified.

IV.1 Conceptual framework

En 1993, the United Nations, through the Declaration on the Elimination of Violence Against Women, recognized it as "any act of gender-based violence that results in or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life."²⁷ Article 2 of the same Declaration included violence suffered within family relationships, as well as violence "perpetrated within the general community" and violence "perpetrated or condoned by the State."

Furthermore, Article 3 of the Istanbul Convention defines "violence against women" as a "violation of human rights and a form of discrimination against women" and encompasses all acts of gender-based violence that involve or may result in **physical**, **sexual**, **psychological**, **or economic harm** or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in **public or private life.**"²⁸

As we delve further into the conceptualization of violence against women in its various forms and contexts, considering instances beyond family relationships and including violence perpetrated or tolerated in the general community and by the State, we begin to outline an approach to the conceptualization of institutional violence against women. However, there is still no universal definition of the concept of institutional violence, nor even universal acceptance of its existence.

²⁸ Consejo de Europa (2011). Convenio del Consejo de Europa sobre prevención y lucha contra la violencia contra las mujeres y la violencia doméstica. Recuperado de: https://rm.coe.int/1680462543

²⁷ Naciones Unidas (s/f). *Declaración sobre la eliminación de la violencia contra la mujer.* Recuperado de: https://www.ohchr.org/es/instruments-mechanisms/instruments/declaration-elimination-violence-against-women

In the case of Spain, the regional legislation in Catalonia serves as a pioneering example in this regard. The Parliament of that community passed Law 5/2008 on the right of women to eradicate male violence. In Article 5, which addresses the areas of male violence, institutional violence and the public sphere of women are conceptualized as follows.²⁹

"Sixth. Violence in the institutional sphere: actions and omissions by authorities, public personnel, and agents of any public organization or institution aimed at delaying, obstructing, or preventing access to public policies and the exercise of the rights recognized by this law to ensure a life free from male violence, in accordance with the scenarios included in the applicable sectoral legislation. The lack of due diligence, both quantitatively and qualitatively, in addressing male violence, if known or promoted by the authorities or if it becomes a pattern of recurring and structural discrimination, constitutes a manifestation of institutional violence. This violence can result from a single serious act or practice, the repetition of lesser acts or practices that have a cumulative effect, the failure to act when the existence of a real or imminent danger is known, and revictimizing practices or omissions. Institutional violence includes legislative production, the interpretation and application of laws that have the purpose or result in the same outcome. The use of parental alienation syndrome is also institutional violence.

Seventh. Violence in the realm of political life and the public sphere of women: male violence that occurs in spaces of public and political life, such as political institutions, public administrations, political parties, the media, or social networks. When this form of male violence takes place in political institutions or public administrations and is tolerated and not sanctioned, it also becomes a form of institutional violence."

No other region has included the concept of institutional violence in its regulations. However, considering these precedents, **institutional violence against women** can be understood as acts of violence that, based on gender, result in or may result in physical, sexual, economic, or psychological harm or suffering to women within the framework of their private (family) or public (community) relationships and is perpetrated or tolerated by the State. It also includes delays, obstacles, or impediments to access to public policies and the exercise of rights. The existence of a recurring and structural pattern of discrimination, as well as tolerance and impunity towards it, are notable elements in this type of violence.

In a structural perspective, institutional violence involves a **stigmatizing discourse or behavior** that results in exclusion and inequality in the service. In other words, people who belong to a particular group become victims of institutional violence by

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²⁹ Comunidad Autónoma de Cataluña (2008). *Ley 5/2008*, de 24 de abril, del derecho de las mujeres a erradicar la violencia machista. «DOGC» núm. 5123, de 08/05/2008, «BOE» núm. 131, de 30/05/2008. Recuperado de: https://www.boe.es/buscar/act.php?id=BOE-A-2008-9294

another dominant group that tolerates it. This is how behaviors such as racism, sexism, or other forms of discrimination, when tolerated, not sanctioned, and systematized within the framework of relationships with institutions or their personnel, create a scenario of institutional violence.

It's important to emphasize that the concept of **institutional violence entails a critical examination of the State and its institutions' behavior**. It refers to "violence from the institutions and violence within the institutions, within their realms and jurisdictions." When it becomes routine and "hidden within the functions of the institutions," it may not stir as much concern in individuals and society, which can lead to difficulties in explaining it.³⁰

It's important to view institutional behavior as part of a **system that enforces**, **tolerates**, **and normalizes institutional violence** due to historical elements of racism, colonialism, and sexism. This system shapes regulations, institutional conduct, and social practices, leading to a **pattern of recurring violence and discrimination**. For an immigrant woman, seeking services within an institution can often involve encountering sexist, classist, and racist behaviors from the person providing assistance, which are expressions of institutional violence and frequently have elements of institutional racism.

Racism is understood as a "system of dominance and inferiorization of one group over another based on the racialization of differences, involving interpersonal, institutional, and cultural dimensions. It manifests through a set of ideas, discourses, and practices of invisibility, stigmatization, discrimination, exclusion, exploitation, aggression, and dispossession." In that sense, **racism is systemic because it exists as part of a system of dominance and inferiorization based on a structure of privileges for non-racialized individuals**.

Regarding **structural racism**, "in the Anglo-Saxon scientific and political context, it refers to all the structural elements and components of the social system that hinder certain groups from having the same opportunities. The term structural racism is often used as a synonym for institutional racism. However, in the European and Mediterranean context, both terms are not always used interchangeably, as institutional racism does not encompass all possible forms of structural racism. In addition to institutional mechanisms in the strictest sense, there are other

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³⁰ Olmo, P. (s/f). *El concepto de violencia institucional: un enfoque desde la historia social del control y el castigo* en Del control disciplinario al control securitario en la España contemporánea. Recuperado de: https://dialnet.unirioja.es/descarga/articulo/6904052.pdf

³¹ Aguilar-Idáñez, M., Bursaschi, D. (2016). *Del racismo y la construcción de fronteras morales a la resistencia y el cambio social: la sociedad civil frente a las migraciones forzosas.* Revista nº 111: Inmigraciones Forzosas: realidad, respuestas e intervención (agosto - Segundo Cuatrimestre - 2016) - Artículos. España: Consejo General del Trabajo Social. Recuperado de: https://www.serviciossocialesypoliticasocial.com/del-racismo-y-la-construccion-de-fronteras-morales-a-la-resistencia-y-el-cambio-social-la-sociedad-civil-frente-a-las-migraciones-forzosas

significant structural mechanisms of racism related to the cultural landscape and its various agents of socialization: from family or schools to advertising, media, culture in all its expressions (from cinema and literature to humor, for example), the economic system, and more. In essence, everything that shapes the ideology and value framework in which we have all been socialized, and the social structures within which we interact."³²

At this point, there is a confluence between institutional violence, which is understood as acts of violence occurring in people's interactions with public and private institutions that delay or hinder access to public policies or rights in general, and institutional or structural racism concerning immigrant women. Institutional or structural racism is defined as the institutional and structural elements that prevent immigrant women from having the same opportunities as local individuals.

This **institutional racism** can be observed in public discourse from institutional representatives that legitimize the rejection of immigrants, in regulations or policies that create inequality or limit rights, in immigration policies with discriminatory effects, and in actions or inactions by institutional personnel and officials, among other factors.³³

But how does institutional violence manifest in the lives of women? When the State fails to fulfil its obligations, investigate, or redress acts of violence against women, it is creating a scenario of institutional violence, for example. However, as previously mentioned, there is no universal concept which recognizes it, let alone normative or legislative recognition (with the exception of Catalonia). The cases of Itziar Prats and Ángela González Carreño³⁴ are examples of a State that did not respond with due diligence, and the consequences were fatal due to a discriminatory bias against women, depicting a scenario of the institutionalization of gender-based violence.

In 2021, a group of United Nations rapporteurs stated that "the Spanish judicial system has a 'discriminatory bias against women' and often favors men in custody cases even when there is a history of domestic violence."

In the case of immigrant women, these scenarios present an exponential difficulty, often compounded by their administrative status or the institutional and structural

³⁴ Molina, V. (febrero 05, 2022). *Cuando el Estado falla a las víctimas; hacia una definición de la violencia institucional.* Madrid: el Periódico de España. Recuperado de: https://www.epe.es/es/igualdad/20220205/violencia-machista-de-genero-institucional-vicaria-justicia-jualdad-13191942

³² Aguilar, M., Buraschi, D. (2021). *Racismo institucional: ¿De qué estamos hablando?* España: The Conversation. Recuperado de: https://theconversation.com/racismo-institucional-de-que-estamos-hablando-157152

³³ Aguilar, M., Buraschi, D. (2021). Op.cit.

³⁵ Naciones Unidas (2021). *El sistema judicial de España no protege a los niños de padres abusivos, afirman expertos de la ONU*. Recuperado de: https://news.un.org/es/story/2021/12/1501202

discrimination that affects them per se. Additionally, while Spanish women share the risk of experiencing gender-based violence with immigrant women, the proportion of the latter who report and suffer from it in the Valencian Community is overrepresented relative to their demographic weight, according to the VIII Report of the State Observatory on Violence against Women.³⁶ This justifies the need to study gender violence and its relationship with immigrant women in the Valencian Community.

In that sense, for the *Women Against Violence Europe Network (WAVE)*, ³⁷ "institutional violence is that which originates from institutions wielding power and can cause harm or reinforce structural oppression: officials exercising some form of discrimination, humiliation, harmful actions, delays, or obstacles to the exercise of rights. It is a form of violence experienced through individuals' interactions with public institutions and/or the personnel within them. As a general criterion, victims of institutional violence, in the context of violence against women and girls, are primarily women belonging to minority groups, women in situations of social exclusion, or other groups considered as inferior by the system."

Institutional violence can be committed by state agents and is also manifested not only through acts or omissions of public officials, such as their failure to exercise due diligence, but also through the application of specific institutional norms or practices. The interaction between different forms of discrimination and the perpetuation of patriarchal structures, which influence societies' behavior both consciously and unconsciously, lies at the core of institutional violence and can manifest as isolated acts or as a pattern. (Women Against Violence Europe Network - WAVE, Concept Note for the 25th Annual Conference.³⁸)

As pointed out by Wave, institutional violence can be exercised by State actors, whether through omissions by officials or through institutional norms and practices themselves, which, consciously or unconsciously, have an influence on social behavior, perpetuating forms of discrimination and patriarchal structures, as isolated acts or a pattern. With these premises, in the concept note for the 25th annual conference, WAVE begins to outline the relationship between the personal sphere, institutional practices, and the political context³⁹:

 $\underline{\text{https://violenciagenero.igualdad.gob.es/violenciaEnCifras/estudios/colecciones/estudio/Libro23_VIII_I} \\ nforme2014.htm$

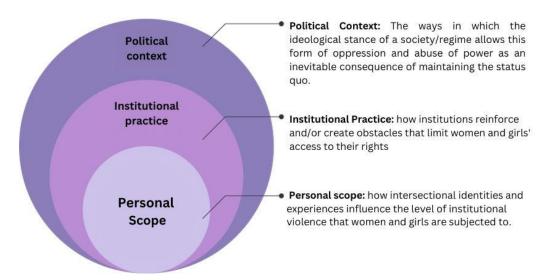
³⁶ Observatorio Estatal de Violencia sobre la Mujer (2016). VIII Informe Anual del Observatorio Estatal de Violencia sobre la Mujer 2014. España: Ministerio de Sanidad, Política Social e Igualdad. Recuperado

³⁷ WAVE (2023). *Institutional violence and its impact on women's human rights across Europe.* Nota conceptual para la 25 Conferencia de Wave. Viena: Wave & Aspacia.

³⁸ WAVE (2023). Op.Cit.

³⁹ WAVE (2023). Op.Cit.

Graphic 2. Attitudes of discrimination by spheres of relationships



In summary, institutional violence can be understood as violence that occurs within the interactions between individuals and institutions, as well as the personnel in them, and is tolerated and not sanctioned by the State. It involves delaying or obstructing the full exercise of rights in a context that normalizes it. In the case of immigrant women, it also means facing racist, sexist, or misogynistic behaviors as a pattern of recurring violence and discrimination. Institutional violence is closely related to the personal sphere of those who experience it, institutional practices, and the political context of the country where it occurs.

IV.2 Normative framework

This section includes declarations, treaties, agreements, laws, regulations, decrees, and other mandatory or indicative instruments that apply in Spain with a gender perspective from the research point of interest, which is immigrant women. It's worth noting that there is no established term for "institutional violence," except for the regional legislation in Catalonia, which mentions it for the first time in Spain as one of the areas of male violence.

IV.2.1 International and regional framework

The Universal Declaration of Human Rights (UDHR), proclaimed by the United Nations General Assembly in Paris in 1948, recognizes human rights as universal, indivisible, and interdependent. It establishes, for the first time, the fundamental human rights that should be protected worldwide without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or any other status. Among these rights are the right to life, liberty, and security of the person; recognition of legal personality; the right to seek and enjoy asylum; freedom of thought, opinion, and expression; freedom of conscience and religion; the right to work and education, among others.

The Convention on the Elimination of All Forms of Discrimination Against Women, adopted by the United Nations in 1979 and monitored by CEDAW, is the most significant human rights treaty for women in terms of opposing discrimination and violence.

The **Beijing Declaration and Platform for Action of 1995** represents a historic milestone in achieving gender equality and the human rights of women and girls worldwide. It encompasses areas such as poverty, education and training, health, violence against women, armed conflict, the economy, power and decision-making, institutional mechanisms for the advancement of women, media, the environment, and the girl child.

The Global Compact for Safe, Orderly, and Regular Migration is the first intergovernmental agreement adopted under the auspices of the United Nations on December 10, 2018, covering all dimensions of international migration in a holistic and comprehensive manner. Its focus places immigrant individuals at the center to strengthen the protection of human rights, regardless of their status.

The **Global Compact on Refugees**, adopted on December 17, 2018, by the United Nations General Assembly, was approved following two years of extensive consultations led by UNHCR with UN member states, international organizations, refugees, civil society, the private sector, and experts. It serves as a framework for predictable and equitable burden and responsibility-sharing among states, recognizing that a sustainable solution to refugee situations cannot be achieved without international cooperation.

The 2030 Agenda for Sustainable Development recognizes that migration is a powerful driver of sustainable development, benefiting both immigrants and their communities in terms of skills, workforce, investment, and cultural diversity. It emphasizes the importance of proper migration management to avoid negative impacts on the development of immigrant individuals and communities.

Article 2 of the **Treaty on European Union**, establishes non-discrimination as one of the common values of the Union and the fight against discrimination as one of its objectives. Furthermore, article 1 of the **Charter of Fundamental Rights of the European Union**, which holds the same legal validity as EU treaties, proclaims the inviolability of human dignity. Additionally, article 21 prohibits "any discrimination," particularly discrimination based on sex, race, color, ethnic or social origin, language, religion. Article 19 (formerly Article 13) of the **Treaty on the Functioning of the European Union**, empowers the Council of Europe to "take appropriate action to combat discrimination."

The EU Anti-Racism Action Plan 2020-2025 acknowledges the need to actively oppose racism and utilizes the Council Framework Decision 2008/913/JAI as a

fundamental instrument for sanctioning serious manifestations of racism and xenophobia with effective criminal penalties throughout the EU. The Plan also emphasizes the importance of applying this instrument to ensure an effective criminal response to hate incitement and hate crimes, as well as to recognize and ensure effective legal protection for victims.

The Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, adopted in Istanbul in 2011, recognizes that violence against women is a violation of human rights and a manifestation of the historical imbalance between women and men that has led to discrimination.

Council of Europe Directives. Directive 2000/43/EC, concerning the implementation of the principle of equal treatment for people irrespective of racial or ethnic origin. Directive 2006/54, establishing a general framework for equal treatment and equal opportunities for men and women.

IV.2.2 National framework

The **Spanish Constitution**, in Article 13 of the First Chapter, has a specific section titled "Spaniards and Foreigners," which states that "foreigners in Spain shall enjoy the public freedoms guaranteed by this Title in the terms established by treaties and the law."

The Comprehensive Law for Equal Treatment and Non-Discrimination 15/2022, dated July 12, 2022, establishes the fundamental definitions of Spanish anti-discrimination law and its basic guarantees. It recognizes that the fight against discrimination lies not only in acknowledging the problem but also in providing real and effective protection to the victims.

The **Spanish Observatory on Racism and Xenophobia (OBERAXE)** is an entity created with the aim of collecting and analyzing information about racist and xenophobic crimes and attitudes in order to effectively combat them. It was established in 1993 and falls under the Ministry of Inclusion, Social Security, and Migration.

Various initiatives, such as the National Strategy for the Eradication of Violence Against Women, the National Action Plan for Social Inclusion, the Plan for Equality Between Women and Men, and the Network of Competent Authorities for Equal Treatment and Non-Discrimination, are in place.

The Law 17/2020 on women's right to eradicate male violence is the only regulation that mentions institutional violence. This law is the most advanced in terms of male violence in Spain because it guarantees the protection of women's rights. The significant innovation in this law is that it includes and regulates institutional violence within the scope of male violence.

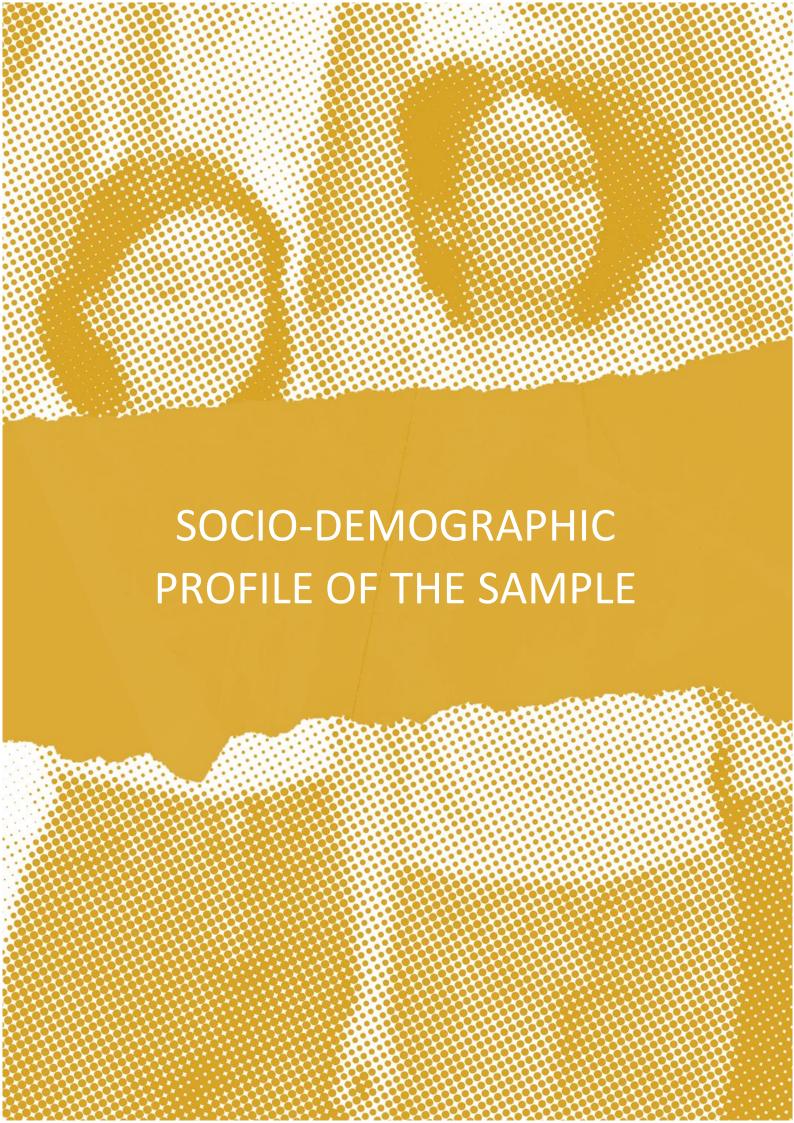
IV.2.3 Regional framework: Valencia

The Valencian Strategy on Migrations (2021-2026) is structured around 5 strategic objectives, 12 specific objectives, and 101 actions, with a temporal forecast linked to annual budget exercises. Notable aspects include the creation of the Valencian Council on Migrations, the public residential network for vulnerable individuals, mentorship and emancipation programs for adolescents and young people formerly under the care of the Generalitat. Additionally, there is a specific focus on immigrant women who are victims of male violence, the pilot experience of Valencian community twinning, and the comprehensive involvement of the Generalitat in accommodating thousands of Ukrainian people displaced by the war.

The **Valencian Council on Migrations** was established as a collegiate body to coordinate the actions of public institutions and social entities working for the equality and inclusion of immigrants in the Valencian Community. Its purpose is to promote a model of coexistence and interculturality for all Valencian citizens. Among its functions are advising on migration and asylum when requested by the ministries, making recommendations to the administrations, and promoting actions in favor of the equality and inclusion of immigrants, refugees, and applicants for international protection.

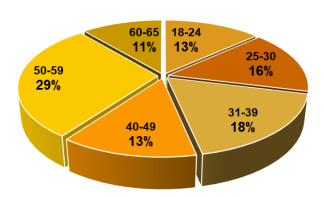
The Valencian Observatory for Equal Treatment, Non-Discrimination, and the Prevention of Hate Crimes, as established by Decree 20/2022 of the Council, aims to recognize and promote diversity, coexistence, and respect, while ensuring the implementation of policies based on prevention, awareness, training, mediation, and action in the field of equal treatment and non-discrimination on the grounds of sex, nationality, racial or ethnic origin, age, sexual orientation, gender identity and expression, family status, sexual development, functional diversity or disability, religion or beliefs, political views, poverty, language, culture, illness, aesthetics, or body.

The Valencian Strategy for Equal Treatment, Non-Discrimination, and the Prevention of Hate Crimes 2019-2024, approved during the meeting of the Delegated Commission of the Council for Inclusion and Social Rights on February 14, 2019, addresses policies based on prevention, awareness, training, mediation, and action in the field of equal treatment and non-discrimination, as well as the recognition and promotion of diversity, coexistence, and tolerance.



V. Socio-demographic profile of the sample

As indicated in the methodology, 45 immigrant women participated in the data collection through interviews, with an age range of 18 to 65 years. As can be seen in the graph, the majority of women fell in the 50-59 age group, at 28.9%. They were followed by those in the 31-39 and 40-49 age groups, which, when combined, accounted for 31.1%, and those in the 18-24 and 25-30 age groups, which, when combined, represented 28.9%. Women aged 60-65 made up 11.1%.



Graphic 3. Age ranges of women who participated in the study.

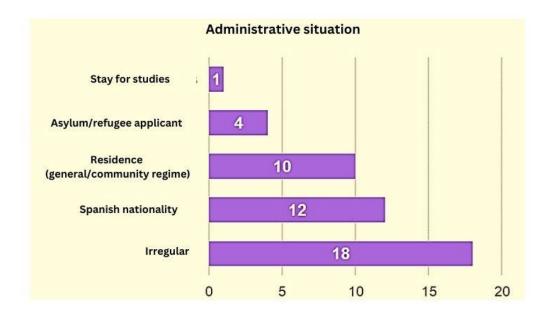
The countries of origin vary and highlight the intersection of factors that make the situations they face more complex. However, the sample shows a higher number of women from the Americas: out of the 45 interviewed women, 75% are from Latin American countries. It is worth noting that the sample selection is representative of the user base of the Por Ti Mujer Association, where the majority also has this geographical origin. The most common nationalities among women from this region in the sample were Venezuela (9), Colombia (8), Ecuador (3), and Honduras (3), followed by Bolivia (2), Brazil (2), and Chile (2). Six women come from African countries, one from Asia, two from Europe, and one from Russia. The map below shows the countries of origin of the women who participated in this study.

Graphic 4. Origin of the women who participated in the study.



40% of the women interviewed admitted to being in an irregular administrative situation, which implies a lack of documentation that facilitates the reproduction of violence against immigrant women in personal relationships, interactions with institutions, and structural oppression spaces. 8% are asylum/refugee seekers. Meanwhile, 22% have regularized their status with residence, 26.6% have opted for Spanish nationality, and 2% are in a student stay.

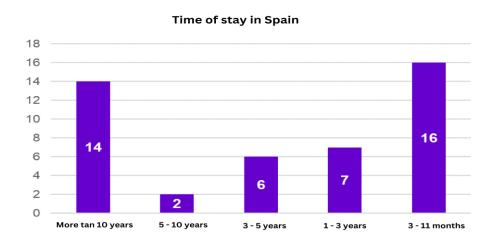
Graphic 5. Administrative situation of the women that participated in the study.



Furthermore, an aspect directly linked to the women's administrative situation is employment. Immigrant women with irregular administrative status are often forced to engage in informal employment to secure funds or have no employment at all. These situations become even more complex when these women need to provide for

themselves and their children or balance employment with childcare responsibilities. Among the participants in the study, 42.22% reported being unemployed.

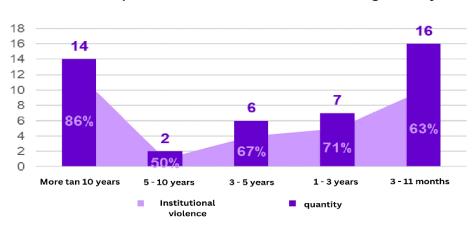
Regarding their length of stay in Spain, 35% of the immigrant women surveyed had been in Valencia for less than a year, 15% for 1 to 3 years, 13% for 3 to 5 years, 4% for 5 to 10 years, and 31% for more than 10 years.



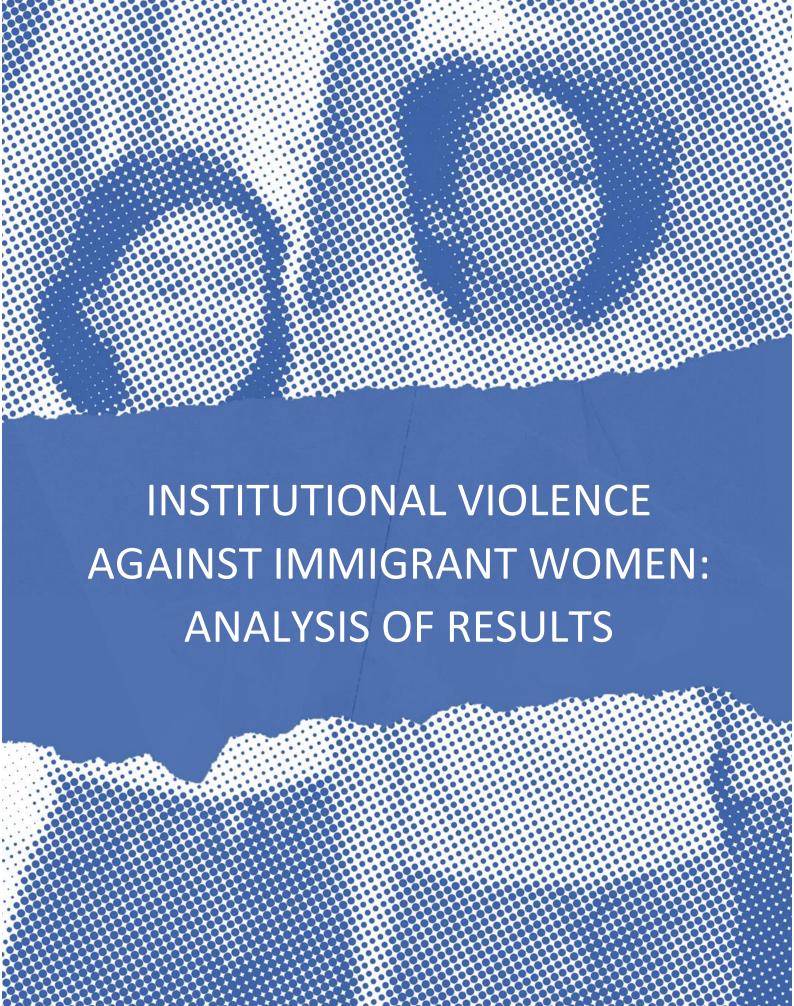
Graphic 6. Time of stay of the women who participated in the study.

According to the above, a common denominator can be observed among different groups of stay in Spain, and that is a high percentage of immigrant women who have perceived or experienced signs of institutional violence: 86% of the 14 women with over 10 years of residence in Spain; 71% of the 7 women with 1 to 3 years; 67% of the 6 women with 3 to 5 years; 63% of the 16 women with less than one year; and 50% of the 2 women with 5 to 10 years. To determine the perception of institutional violence, aspects such as denial of service in institutions, difficulties in administrative processes, and the perception of differential treatment were taken into account.

Graphic 7. Relationship between institutional violence and the length of stay of the women who participated in the study.



Relationship between institutional violence and length of stay



VI. Institutional violence against immigrant women: analysis of results

Institutional violence against immigrant women can be carried out through omissions by personnel within institutions, as well as through institutional norms or practices that reproduce some form of discrimination, humiliation, harmful actions, delays, or obstacles in exercising their rights in a context that tolerates and does not sanction it. It can manifest as isolated incidents or as a pattern. For the purposes of this research, it exclusively pertains to immigrant women in their interactions with public institutions and/or the personnel within them.

As highlighted in the profile of the women examined in this study, irregular immigration status is the most common administrative situation, a condition that exposes them to recurring situations of institutional violence. In this regard, it is important to note that this administrative situation has consequences in various aspects of the lives of immigrant women. Due to the provisions of the Immigration Law, immigrant women must wait for several years before being eligible for residency based on exceptional circumstances or social ties.

In addition, there is institutional violence that affects the social and family ties, especially for non-EU foreign individuals, which is reflected in the regulatory and systematic barriers they face when trying to reunite with their children. These barriers include, among others, the requirement to legally reside in Spain for at least one year, have obtained a residence permit renewal for at least another year, possess adequate housing as determined by municipal social services, meet certain financial requirements, have an indefinite employment contract or a minimum one-year contract, provide the last six pay stubs if employed, and if self-employed, submit the latest income tax return. There's also the requirement of acquiring private medical insurance for the family member being reunited.

The majority of immigrant women who participated in the discussion groups are mothers, and several of them are still in the lengthy process of achieving family reunification. Notably, those who cannot even initiate the family reunification process due to not meeting one of the conditional requirements—having regular immigration status—suffer from transnational motherhood. In this situation, their children continue to reside in the country of origin, with all the associated psychosocial consequences, especially intensifying their migration-related grief. However, it's important to recognize a variety of realities and families that have succeeded in reuniting, as well as other family units established in Valencia.

One aspect emphasized by the interviewed women is the perception of limited coverage of public services in the field of childcare and support for single-mother

households in the Valencian Community. Additionally, there is a fear that, in cases of social and economic vulnerability, government officials may opt to place minors under administrative custody in foster families.

Another point to highlight is the underground economy in which these immigrant women have to work due to their irregular immigration status, which stems from a lack of documentation. This situation makes them vulnerable to labor abuses within a system that considers them inferior. Furthermore, the intersectionality of this issue multiplies the violence when immigrant women are also victims of gender-based violence. This is particularly evident when they seek economic resources to escape their abuser and face barriers in accessing services and assistance designed to combat gender-based violence. All of this reflects a lack of universally accessible information and the difficulty of accessing institutions due to regulations that govern them but do not consider these scenarios.

VI.1 Institutional practice

VI.1.1 Administrative scope

One of the main manifestations of how institutions reinforce or create obstacles that limit women's access to their rights, from an institutional practice perspective, is the difficulty in registering in the Municipal Register. This registration, which certifies them as residents of the municipality of residence, not only serves as evidence of their presence in the country but is also the main gateway to various rights recognized by Spanish law for other processes, such as:

- Applying for regularization or residence and work permits, as well as family reunification for their spouse or children.
- Applying for a health card that grants access to healthcare services.
- Accessing municipal services, such as social services, cultural services, sports services, among others.
- Exchanging their driver's license if there is an agreement with their home country.
- Enrolling their children in an educational institution.
- All other procedures related to foreigners.
- In the case of the Valencian Community, it is necessary to apply for international protection with the Foreigners Office.

Apart from the administration, often, especially in the case of women and families with irregular immigration status, landlords are hesitant to authorize the registration of their tenants. This poses an additional barrier when attempting to register, considering that one of the requirements for registration is to provide the rental contract and proof of payment. This was a finding from the "Study on the main rights gaps faced by migrant

women residing in the Valencian Community,"⁴⁰ which is confirmed in the current study. In response to this situation, as mentioned in several testimonies, an underground market has been established where some people fraudulently charge a fee for registering another person at their residence.

"I had difficulties finding a rental contract for housing, and I had to rely on the help of relatives, an unreliable support network, as they made me pay a kind of rental commission of about €15 per month to register. It is a form of violence that I have experienced due to registration issues" (N. Nicaragua).

This happens despite the fact that the Spanish legal system recognizes a special form of registration for people who are homeless or have an insecure or inadequate housing situation, known as "Empadronamiento Social" (Social Registration). According to the Resolution of February 17, 2020, from the Presidency of the National Institute of Statistics and the General Directorate of Regional and Local Cooperation, the request for social registration is sent to the Social Services of the municipality in question, where they issue a summarized report granting or denying the request. Despite having this option, many immigrant women who are in this situation and, at the same time, in an irregular administrative status, avoid requesting it out of fear of being deported.

The process of settling in the host country is the first challenge that immigrant women face. Of the women who participated in the study, 73.3% stated that they had approached a public institution for some form of assistance, especially in procedures related to their administrative regularization. From this experience, more than one-third (37.8%) rated the difficulty of accessing public institutions as "high." Another factor to consider regarding institutional access is the opening hours, which do not facilitate work-life balance for women. Approximately 28.9% of the women interviewed indicated that the adaptability of their schedules with the availability of appointments from the administration is "very low."

In general terms, the responsiveness of the institutions is considered "relatively quick" by 68.9% of the women interviewed. However, the treatment they receive from the personnel and the resolution of their problems are rated as "poor" or "very poor."

"There has been a lack of guidance from the organizations in my case, especially to facilitate the administrative regularization process because it's the foundation for being considered part of the citizenry." (C. Chile).

On the other hand, public reception services are perceived as lacking empathy for the multidimensional issues faced by immigrant women, in contrast to other organizations

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⁴⁰ CIDALIA (2022). Estudio sobre las principales brechas de derechos que confrontan las mujeres migrantes residentes en la Comunitat Valenciana. Valencia: Por Ti Mujer. Recuperado de: https://asociacionportimujer.org/wp-content/uploads/2022/09/INFORME-VALENCIA-VF.pdf

in the associative network that provide close and comprehensive support. Immigrant women who participated in the questionnaire and discussion groups pointed out that public institutions did not provide accurate information and did not create a trusting environment for them to openly discuss their vulnerabilities and share sensitive details about their cases.

"Upon arriving in Spain, I didn't receive a warm bureaucratic welcome. I faced verbal aggressions and discrimination in public institutions. This caused me to lose my self-esteem, and I became reserved when seeking help from social services. I'm an introverted person, and I don't want to have problems." (A. Bolivia).

VI.1.2 Economic scope

"Three banks denied me the opportunity to open a basic bank account. They didn't even tell me why I couldn't do it. Besides, the institutions weren't flexible with their schedules, and there was no place to leave my daughters. They didn't guide me properly or offer me any options!" (E., Guinea Ecuatorial).

In 2021, the Council for the Elimination of Racial or Ethnic Discrimination (CEDRE⁴¹) warned that having a bank account is an instrumental right that allows for the contracting of basic services. In fact, paying for utilities like water or gas, renting a home, or receiving regional or state benefits depends on having a bank account. Even everyday transactions require having a bank account.

44.4% of the interviewed women indicated that it was very difficult for them to create a basic and free bank account. This phenomenon directly affects the domiciliation of this same account, with the level of difficulty being "maximum" for 35.55% of the women. Banks in Spain are obliged to offer a basic account, completely free, to those in vulnerable situations or at risk of financial exclusion. These accounts are exempt from fees and do not require the acquisition of any additional product. However, there is a need to meet certain requirements or, at the very least, have a report issued by social services endorsing the suitability to open the account.

The first barrier that immigrant women encounter is the direct one originating from the bank, when they are obstructed from opening an account due to the behavior of individuals in the institution who do not provide the necessary information or procedures to open the basic account mentioned in the previous paragraph. However,

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⁴¹ CEAR (2022). Citado en *La exclusión financiera afecta a miles de personas migrantes y refugiadas en España*. España: CEAR. Recuperado de: https://www.cear.es/exclusion-financiera-personas-refugiadas/

this situation is a manifestation of structural and normative discrimination, institutional violence stemming from the banking system and its regulatory framework.

According to the findings, 33% of immigrant women who participated in this research and are not registered in the census do not have a bank account. It can be assumed that these individuals were denied access to creating a bank account, and this is related to their inability to register.

Another issue that concerns the women participating in the discussion groups is related to housing. Their comments highlight a deficient public housing policy accessible to people in vulnerable situations. Institutional violence begins to manifest when immigrant women have to contact real estate agencies or landlords because they perceive direct and indirect discrimination based on their skin color, attire, ethnic origin, nationality, or the assumption of economic difficulties. Women of African origin, single mothers, and LGBTQ+ women, in particular, express themselves as victims of this discrimination. They also find themselves unable to obtain a rental contract for various reasons. The common solution offered is renting a room without a contract. These women express how they fear being left without legal protection due to the lack of a contract. They accept shared housing with strangers and inadequate living conditions, sometimes leading to overcrowding, as they cannot access other alternatives.

"The emotional problems of not having a place to arrive and rest, where you can use the bathroom, cook, and be at peace, where you can shower in peace." (S., Colombia).

All of this regarding housing has led some authors to reflect on the conceptualization of housing to draw attention to whether it is considered a vital need and a "social good" or a "commodity" and a source of private profit. ⁴² In the city of Valencia and its metropolitan area, for example, many immigrant people end up concentrated in peripheral neighborhoods where the real estate market promotes housing under living conditions that local residents would hardly accept, while immigrant women, due to lack of other options, do. This leads to residential and socio-spatial segregation, a type of institutionalized violence within the real estate and housing system that immigrant women face.

VI.1.3 Social and political scope

In immigrant women with irregular administrative status, there is a prevailing sense of otherness, isolation, and distrust toward any form of connection with formal institutional spheres. They also fear openly engaging in civic and social participation,

⁴² Martínez, U. (1999). *Pobreza, segregación y exclusión espacial: la vivienda de los inmigrantes extranjeros en España.* Barcelona: Icaria. P.9

such as demonstrations, associations, and strikes, among other activities, due to concerns about police control, arbitrary detentions, and potential deportations. Even if they could theoretically participate in politics, they are practically hindered by the working conditions that many of them face, as is the case with domestic and care workers who live with their employers. Moreover, the high labor and residential mobility they experience makes it difficult to establish a sense of local and community belonging, leaving them with a feeling that oscillates between political disaffection and rootlessness.

"Living in a town in Valencia, I noticed a certain isolation from the people, as if they formed a closed circle, and those who went to school together tended to stick together. Here, I experienced a cultural clash, (...) I felt more rejection." (V., Cuba).

Within the social sphere, considering the results, 40% of the interviewed women indicate that it is highly difficult to seek a support network to accompany them during the process of adapting to the new host country. Assuming the absence of this network for many immigrant women, it highlights the challenging integration due to a lack of a sense of community and emotional connection. In this context, with elements of discrimination, racism, and xenophobia, and in the absence of a source of personal and psychological protection, this also translates into psychosocial health needs.

Regarding their political rights, 96% of the interviewed women stated that they had not received information about them, and 90% claimed not to be associated or have participated in any political gatherings. Of those who have participated, 7% stated that the treatment from officials and the staff they encountered was "bad" or "very bad." This data reflects the perception of discrimination and bias based on gender and ethnic origin, which impacts institutional trust.

All of this can be linked to obstacles to participation. It is worth noting that, even though the right to participation is recognized in international instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, in practice, states determine citizenship based on historical, cultural, and/or legal criteria, which results in the exclusion of individuals based on their origin. In fact, in Spain, foreign individuals can only actively exercise the right to vote if they are in regular status and only if the Spanish state has signed a bilateral agreement⁴³ with their countries of origin and, in some municipalities, if they have been residents for a certain period of time.

Islandia, Noruega, Nueva Zelanda, Paraguay, Perú y Trinidad y Tobago.

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⁴³ El Artículo 13 de la Constitución española señala que sólo los españoles serán titulares de derechos a participar en los asuntos públicos, salvo atendiendo a los criterios de reciprocidad establecidos por tratado o ley para el derecho de sufragio activo y pasivo en las elecciones municipales. España sólo tiene convenio de reciprocidad con 12 países: Bolivia, Cabo Verde, Chile, Colombia, Corea, Ecuador,

VI.1.4 Access to first reception public services

55.6% of the interviewed women claim to have gone to a public service to request information in the initial reception process. Among the services identified by these women, the most common ones are the City Hall, Social Services, and the Health Center. Furthermore, 46.6% of the interviewees state that, due to the service hours, they have not been able to access them. The collected stories reflect a significant difficulty for these women to make an appointment or get advice in any service due to a lack of time caused by the double work shifts that some immigrant women typically have (13.3%), which becomes even more complicated when they have children to take care of.

VI.1.4.1 Social services

The Social Services of the Valencian Community⁴⁴ are designed for prevention, comprehensive promotion of personal autonomy, and the care of personal, family, and social needs, as well as ensuring social inclusion (Article 4), under the principle of universality (Article 6), among others, which guarantees the right to access them under conditions of equality, universal accessibility, and equity for all individuals.

However, according to the collected data, 44.44% of the interviewed women have not accessed the social services in their area. Among the women who haven't used these services, it's notable that 28% were unaware of the existence of this assistance, and 12% were unaware of their rights as residents in Spain. Another 4% mentioned avoiding embarrassment in case they faced rejection from these services, and another 4% stated fear of potential consequences of accessing social services. Only 16% of women indicated that they didn't have the need to use these services.

VI.1.4.2 Educational services

In Spain, the right to education is guaranteed by the Constitution in Article 27, which also recognizes basic education as compulsory and free. However, according to the Report on the Integration of Foreign Students in the Spanish Educational System,⁴⁵ "Spanish and foreign students do not have the same opportunities to access the education system." According to that report, the gross enrollment rate of foreign individuals (49%) is more than one-third lower than that of Spanish nationals (73%), highlighting the need for integration policies that facilitate access to the education system for the foreign population.

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⁴⁴ Ver artículos 4 y 6 de la Ley 3/2019 de servicios sociales inclusivos de la Comunitat Valenciana. Recuperado de: https://www.boe.es/eli/es-vc/l/2019/02/18/3

⁴⁵ Casado, R. y Medina, E. (2023). *Informe sobre la Integración de los Estudiantes Extranjeros en el Sistema Educativo Español.* Madrid: OBERAXE. Recuperado de: https://inclusion.seg-social.es/oberaxe/ficheros/documentos/OB15 accesible.pdf

Furthermore, when children reach the age to continue with non-compulsory education, they encounter obstacles in continuing their studies.

"I have an 18-year-old son, and he hasn't been able to enroll in school. I'm trying to have his high school diploma recognized, but bringing in the documents is complicated. I've been to social services, and it's complex; you're not looking for financial aid, but for guidance. You walk and walk without knowing where to go. Fortunately, I found this place (referring to Por Ti Mujer)" (S., Colombia).

Among the women interviewed for this study, 71.11% stated that they had used some educational service. However, 73.8% mentioned that they had not enrolled in any formal education or training program. Considering that 40% of the interviewed women indicated that they were in an irregular administrative situation, these high figures of not enrolling in formal education call for a reflection on the barrier that this administrative status may pose for accessing post-compulsory education (such as vocational training, high school, or university degrees).

In fact, the lower enrollment rates among foreign populations highlight the barriers to access for this group and can be considered an indicator of a lack of integration into the educational system.

VI.1.4.3 Health services

The Organic Law on the Rights and Freedoms of Foreigners in Spain and Their Social Integration 4/2000, Article 12, guarantees that "foreigners have the right to healthcare under the terms established by current legislation on healthcare," aiming to uphold a vision of universal, public, and free healthcare for anyone residing in Spain.

In the case of the Valencian Community, access to public healthcare is guaranteed by Law 10/2014 of the Generalitat, which establishes the principles and objectives of the healthcare policy, as well as the rights and responsibilities of citizens in relation to them. Specifically, Article 3 of this law states:

"Everyone has the right to access the services of the public healthcare system in the Valencian Community under conditions of equality, without discrimination based on economic, social, gender, sexual orientation, gender identity, origin, religion, opinion, or any other grounds."

In this way, foreign individuals have the right to receive healthcare under the same conditions as nationals, regardless of their administrative status. However, in recent years, restrictive migration policies have limited the access of immigrant individuals to certain healthcare services, such as hospital care or diagnostic tests, especially for those in irregular administrative situations. In fact, a person without a registered residence cannot obtain the SIP card, blocking their access to healthcare services. To

address this situation, some autonomous communities in Spain have implemented specific programs to ensure access to healthcare services for foreign individuals.

In fact, in the Valencian Community, there are several non-governmental organizations and associations that provide free or low-cost medical care services to immigrant individuals who do not have access to public healthcare.

According to the data obtained, 88.9% of the sample reported having used healthcare services. Additionally, 31.11% of the women stated that they received healthcare services that were not very efficient and timely. Regarding the level of difficulty in accessing healthcare services, out of the 88.9% mentioned earlier, 19.78% reported having faced difficulties in accessing these services. These data illustrate the challenges faced by immigrant women, given that municipal registration is the means to access healthcare services.

In this regard, two findings related to municipal registration are noteworthy. First, 91.7% of the women who found the process to obtain the health card "easy" are registered residents. This result demonstrates that being registered makes it easier to obtain a health card. Second, 100% of the women who found the process to obtain the health card "difficult" are not registered residents.

These findings highlight the importance of facilitating access to municipal registration and how a person's administrative status can amplify barriers to accessing a vital service, in this case, healthcare services, thereby exposing institutional practices that prioritize legal status over a human right.

VI.1.4.4 Legal services

In Spain, there are public and private legal services that provide assistance and advice to immigrants on issues related to regularizing their migration status, obtaining residence and work permits, protecting labor and social rights, and providing legal support in cases of gender-based violence, among others. Public services worth mentioning include Legal Counseling Services, Legal Services of the Social Security Administration, and the Victim Assistance Offices of the Ministry of Justice. Additionally, there are non-governmental organizations and associations that offer free or low-cost legal services to migrants.

According to the women interviewed for this research, 61.3% have not used legal services, while 38.6% have accessed them. The reasons explaining women's access to legal services are: obtaining a life certificate (11.1%), filing a complaint (16.7%), and other reasons (72.2%). From the high percentage of women who have not used legal services and the low percentage related to complaints, it could be inferred that there is a relationship with their administrative status. There is a well-known case of an immigrant woman who filed a complaint because her bag with documents had been

stolen, and the incident resulted in an expulsion order against her due to her irregular administrative status.

Among the women who reported accessing legal services, 35.3% stated that access was difficult or very difficult. Within the complexities they face when carrying out procedures to advance in their processes, certain critical elements have been identified: high bureaucracy associated with the appointment system, poor or unclear communication from the people in institutions (which is exacerbated in cases of women whose native language is not Spanish), as well as impersonal attention towards immigrant women. In the most extreme cases, the lives of women are put at risk, highlighting the pattern of institutional violence they face for being immigrants.

A paradigmatic example was the case of an immigrant woman with a complaint process and a request for protection due to gender-based violence. The court official called her on the phone for the respective judicial summons to make a statement and confirm the complaint. The woman on the other end of the line denied her interest in the services. The next day, they went to the court to inquire about the resolution and noticed the temporary dismissal of the case without protective measures. What had happened was that the official had called a phone number that did not correspond to the victim of the case. This is paradigmatic because it reflects the coldness and lack of sensitivity with which a case of gender-based violence can be treated, especially when the victim is an immigrant, and institutional tolerance towards such incidents.

VI.1.4.5 State Security Forces

The State Security Forces and Corps in Spain are responsible for border protection, migration registration and control, as well as citizen protection and security, among other duties. Since 2012, they have had a Manual for the training of State Security Forces and Corps in the Identification and Registration of Racist or Xenophobic Incidents.⁴⁶

However, the level of difficulty in accessing services from the police (reporting, protection, emergency assistance) has been high for 27.7% of immigrant women who have used such services. This difficulty increases, particularly when dealing with ID card or passport procedures, as 44.4% indicate a high level of difficulty.

The interviewed women express that they tend to avoid contact with the police institution and admit to discreet behaviors to avoid attracting attention from the authorities, which indicates an implicit form of violence stemming from their perception

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⁴⁶ Ministerio del Interior (2012). Manual de apoyo para la formación de Fuerzas y Cuerpos de Seguridad en la Identificación y Registro de Incidentes Racistas o Xenófobos. Madrid: OBERAXE. Recuperado de: https://inclusion.seg-social.es/oberaxe/ficheros/documentos/ManualApoyoFormacionFFyCCSeguridadIdentificacionRegistr

of the institution. Their greatest fear is that the police might initiate deportation proceedings when they are in an irregular administrative situation. This fear is supported by institutional practices that reflect current regulations. In the case of foreign women who are victims of domestic or gender-based violence and are in an irregular administrative situation, Instruction 14/2005 from the Secretary of State for Security indicates that police facilities can initiate expulsion or fine proceedings, under certain circumstances, when a Judicial Authority decides. This shows that the relationship with the police, for example, when filing a complaint, is a more complex step for immigrant women, as it may expose their administrative irregularity.

VI.2 Personal scope

Intersectional identities and experiences influence the level of institutional violence that women and girls face. In this regard, some factors related to institutional accessibility are linked to language and the barriers it may pose. The absence or limited availability of interpretation services or the difficulty in accessing interpreters represents a significant barrier for non-Spanish-speaking immigrant women in accessing information, resources, and services in the host country. Without proper interpretation, women face difficulties in understanding and using government, medical, legal services, and more, which can limit their opportunities and rights. This barrier not only affects the administrative sphere but extends to a wide range of services, even impacting women's private and personal lives, thereby presenting a social barrier for them.

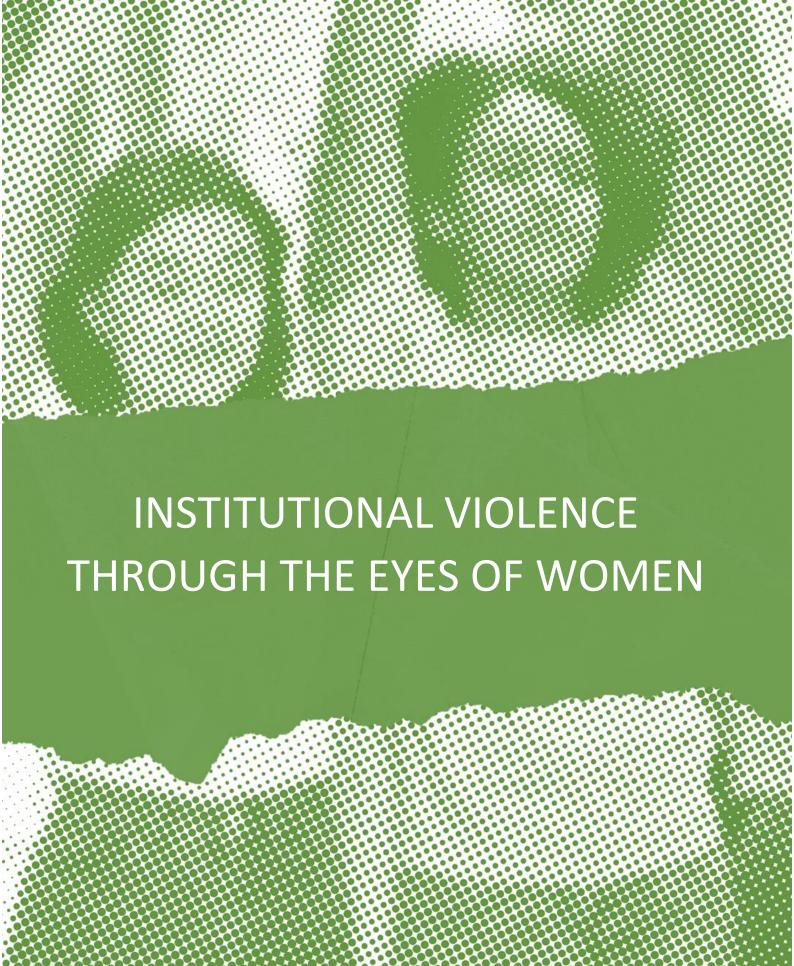
"Requesting an interpreter in some cases is questioned. Just because a Moroccan woman may speak Spanish doesn't necessarily mean she can express herself in a non-native language, and excluding the interpreter undermines her rights as an individual". (B., Spain, counselor)

In addition to the adaptation challenges faced by immigrant women, they encounter cultural and religious barriers. Some professionals who work with these women lack knowledge of their cultural backgrounds and the necessary tools to build effective support networks. As a result, immigrant women may be forced to adapt to a new environment by abandoning their customs and traditions, a situation that has consequences for their identity. Religion can also serve as a catalyst for discrimination and institutional violence.

"As a Muslim woman, I have tried to integrate and behave well to avoid drawing attention and causing trouble. I know that belief can lead to discrimination, for example, because of wearing a veil or not." (L., Morocco).

Despite multiculturalism in Spain, the increase in female immigration has led to ethnic and gender segregation, making it challenging to foster understanding among different

cultures. This context, combined with a lack of cultural sensitivity in people who directly interact with immigrant women, can result in racist prejudices and stereotypes in the care provided, adding to the language barrier mentioned earlier. Moreover, the paternalistic and assistance-oriented culture victimizes foreign women and treats them from a hierarchical perspective, perpetuating power imbalances and inequality.



VII. Institutional violence through the eyes of women

The incorporation of a gender perspective into public policies is an explicit manifestation of the commitment by states to address and correct gender inequalities and inequities, with the strategic goal of transforming social relations with a gender perspective. In this regard, the European Institute for Gender Equality collected and systematized data from union members, and one of the findings is that the majority of states have a ministry responsible for promoting gender equality, with a positive rating for the indicator assessing their institutional mechanisms (92%).⁴⁷

Additionally, several states have specific legislation, such as Spain's Strategic Plan for Effective Equality between Women and Men 2022-2025. However, the sub-indicator on accountability indicates that all states can do more to increase their commitment to promoting gender equality. Spain scored 6.5 out of 12 on that indicator. While there is a commitment to promoting gender equality, evident when institutions are established for this purpose, the Institute states that, in general, most member states need to strengthen institutional mechanisms for including a gender perspective and promoting equity. It emphasizes that institutional mechanisms do not necessarily translate into a commitment at all levels to significantly and effectively promote gender equality.

Introducing a gender and intersectional perspective into the phenomenon of migration allows us to identify the factors that affect the full enjoyment of the rights of immigrant women. These factors are related to their ethnic origin, culture, religion, language, and socioeconomic class, among other factors. The United Nations Development Programme also recognizes that "the gender and intercultural approach in interaction responds to this intersectional analysis of the specific oppression or discrimination experienced by women with particular identities." An example of this is the inequality experienced by women who belong to ethnic groups in situations of subordination or exclusion. Addressing this would require transformative policies that challenge the power dynamics underpinning such discrimination.⁵¹

⁴⁷ European Institute for Gender Equality (2023). The pathways to progress: strengthening effective structures for gender equality and gender mainstreaming in the EU. Luxemburgo: Office of the European Union. Pàg. 15. Recuperado de: https://eige.europa.eu/publications-resources/publications/pathway-progress-strengthening-effective-structures-gender-equality-and-gender-mainstreaming-eu

⁴⁸ European Institute for Gender Equality (2019). Intersecting inequalities: Gender Equality Index. Pág. 10. Recuperado de: https://eige.europa.eu/publications-resources/publications/intersecting-inequalities-gender-equality-index

⁴⁹ European Institute for Gender Equality (2023), op.cit., pág. 17.

⁵⁰ European Institute for Gender Equality (2023), op.cit., pág. 61.

⁵¹ PNUD (2013). *Igualdad de género e interculturalidad: enfoques y estrategias para avanzar en el debate* en la colección "Atando cabos, deshaciendo nudos". RBLAC/RSC PNUD: Área Práctica de Género, págs. 36-38.

In fact, according to the report "Integration of Migrant Women" by the European Migration Network, at least 12 European Union member states recognize that discrimination, including gender stereotypes and racism, is a challenge that could hinder the integration of immigrant women. Elements such as limited access to childcare services and other family-related factors, language barriers, and the lack of social networks are acknowledged as challenges to their integration. In the case of Spain, it acknowledges that the integration of immigrant women is a political priority, especially in terms of health and the protection of victims of violence, and it states that there are various resources for this purpose. Elements

However, it is essential to emphasize that immigrant women face multiple intersecting forms of discrimination based on their ethnic or national origin, religion, language, social class, education level, legal status, disability, sexual orientation, age, among other factors. These diverse realities intersect, institutional violence being the one that generates the most fear because of the risk of being excluded from the system's protection and basic social services due to irregular legal status. In extreme cases, this could lead to deportation from the host country.

In this sense, the present research has identified scenarios that often force migrant women to adapt to their surroundings, which can worsen their situation and block access to the necessary support. Special attention is needed for cases of migrant women who are victims of gender-based violence. Some women acknowledge that they do not report gender-based violence for various reasons, such as not recognizing themselves as victims, fear of the perpetrator's reaction, feeling sorry for the perpetrator, social pressure (especially from family members), feeling guilty about the situation, economic dependence, concern for the potential consequences for their children, among others. As an illustrative example, consider the following testimony from a woman in the discussion group:

"There's another woman who was about to get a divorce. She's not working, she's seven months pregnant, and she's homeless. She called me crying because there was no shelter available. She came to my house while things were being sorted out. For a month. She brought the divorce papers and a police report, but in the end, she decided to go back to that man because she felt bad about staying in my house without paying anything, even though I told her not to worry about that. She has no other option!". (A. Mali).

The above exemplifies how the available protection and assistance resources do not align with the speed and effectiveness required in such situations of vulnerability. And when they are put into effect, immigrant women feel scrutinized and evaluated

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⁵² European Migration Network (2022). *Integration of migrant women*. Bruselas: European Migration Network. Pág. 19. Recuperado de: https://home-affairs.ec.europa.eu/system/files/2022-09/EMN_STUDY_integration-migrant-women_23092022.pdf

⁵³ European Migration Network (2022), op.cit., Pág. 25

according to insensitive parameters. Some testimonies describe how officials suggest that they report with the intention of regularizing their status as victims of gender-based violence.

The testimonies have also highlighted an existing gap between the status of being a Spanish woman and a foreign woman. Institutional violence manifests in the disparate treatment that Spanish and foreign women receive when dealing with similar institutions. Despite both having equally valid reasons to do so, foreign women often do not receive the same welcome, empathy, or treatment due to various factors, one of which may be ethnic appearance or nationality.

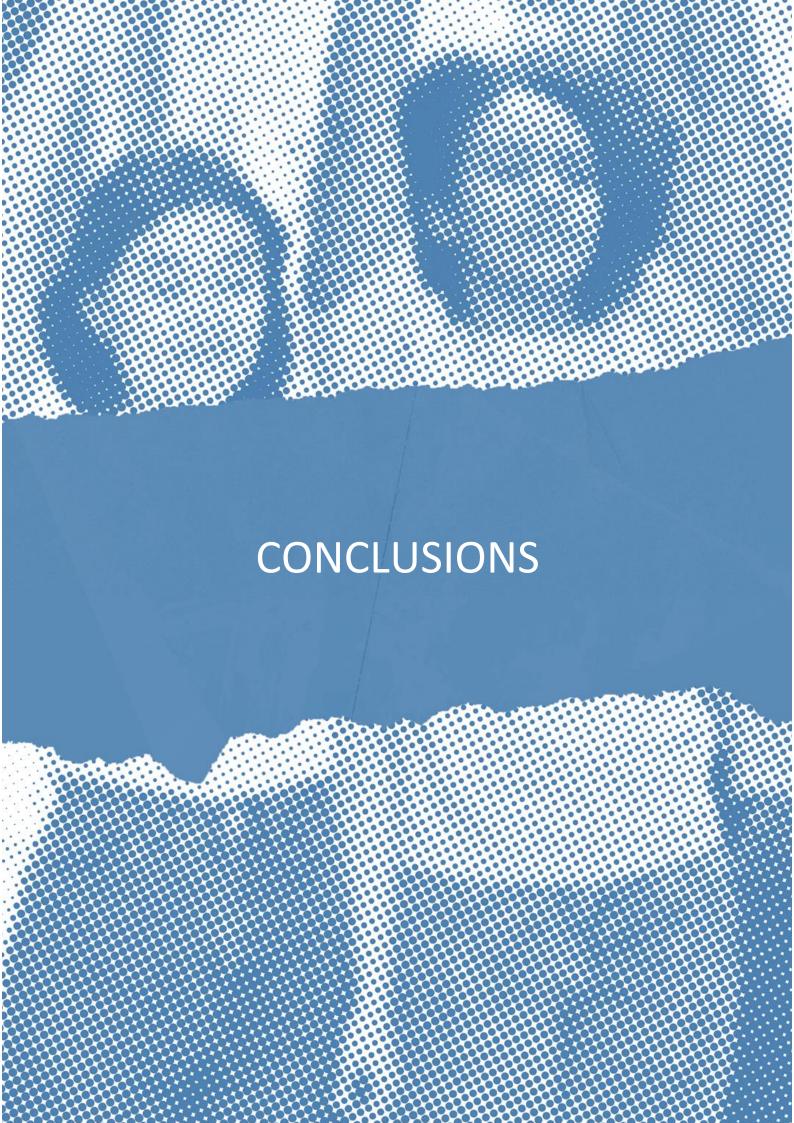
"When we did all the paperwork and procedures, and he accompanied me, I realized that many times things were easier for me because I was with a Spanish person. I noticed that if I went alone, it would be much more difficult. Well, on the one hand, I appreciated the fact that he was by my side, but on the other hand, I realized that it wouldn't be the same if I went alone, that it would be much more difficult. At some point, I did find myself alone with someone, and I did see that there were some questions or difficulties, and as soon as he arrived, things changed. So, personally, in that regard, I had no difficulty in regularizing my situation here. (L., Venezuela).

All of this is related to the immigration status of immigrant women because the condition of irregularity is the main obstacle to reporting discrimination, highlighting the institutions' lack of adaptability to the reality of these women.

Furthermore, this situation prevents migrant women from accessing formal employment or exercising their citizen rights, not to mention integrating into social networks. This creates an administrative vicious circle in which these women are trapped, as the regularization of their situation is conditional on their ability to carry out these activities. The scenario becomes even more complicated when they must also take sole responsibility for the care of minors or other family members, which prevents them from balancing their personal life with educational and employment processes.

From the data collected, it is evident that language, ethnic appearance, and country of origin are frequently identified as difficulties with "a lot" of relevance when dealing with public institutions. In this regard, 22% of the interviewed women stated that language is one of the greatest difficulties they face, along with discrimination based on ethnic or racial appearance (21.33%) and their country of origin (19.3%). Meanwhile, 16% of women mentioned the difficulties they face simply because they are women.

The migratory grief experienced by these women is accompanied by feelings of anxiety in 40% of cases and abandonment in 30% of cases. Women often express feeling unprotected and forsaken, and they may perceive that they have no one to trust. In this regard, the institutional violence they may encounter can be a triggering factor related to the sense of abandonment and can exacerbate anxiety.



VIII. Conclusions

- Despite the international recognition of the need to eliminate all acts of violence against women for decades, actions that perpetuate the violation of human rights and gender discrimination still persist today. It is, therefore, necessary to advance in the conceptualization of violence against women from an institutional perspective. This involves recognizing that such forms of violence go beyond incidents in the private sphere, can be structurally reproduced, and sometimes occur with state tolerance and impunity. By doing so, the existence of institutional violence against women would be acknowledged, for which there is no universal acceptance of its existence or its conceptualization. In the case of Spain, there is only regional legislation in Catalonia that recognizes and addresses it.
- Institutional violence implies a critical view of the State and the behavior of its institutions as part of a system that exercises, tolerates, and normalizes it. When directed against women, it manifests through acts of gender-based violence within the framework of their interactions with institutions, perpetrated or tolerated by the State. This includes delays, hindrance, or prevention of access to public policies and the exercise of rights. A notable aspect of this type of violence is the existence of a repeated and structural pattern of discrimination, as well as tolerance and impunity. It also involves stigmatizing behavior that results in exclusion and inequality in the enjoyment of rights, including racist, sexist, or misogynistic behaviors. Faced with the condition of being an immigrant woman, these are the institutional and structural elements that hinder the full enjoyment of their human rights, with particular difficulty when they are constrained by irregular administrative status.
- The information gathered as part of this study reflects institutional violence against immigrant women in Valencia in the ways institutions reinforce and/or create obstacles that limit their access to rights from an administrative perspective. These barriers are encountered from the moment they try to register their residence, which serves as the gateway to other basic and vital services, up to the regularization process, for which the law obliges them to remain in irregular status for several years.
- The experiences of immigrant women collected in this research show that their interactions with public institutions and the individuals within them are characterized by a lack of comprehensive information and a lack of empathy that fails to recognize the intersectionality of their situation. In extreme cases, this treatment includes verbal aggression and clear discrimination. This is in stark contrast to the differentiated treatment they receive from organizations within the community, which is described as close and comprehensive.

- In a situation where basic needs are not met, and the full enjoyment of fundamental human rights is not possible, any other form of social and/or political connection is secondary for immigrant women. This is how political disaffection implies minimal or no participation in civic and social engagement spaces.
- Immigrant women have approached various public entities in the initial reception process, and their perception reflects access difficulties due to variables such as language (when Spanish is not their native language), the bureaucracy associated with the system of appointments, poor or unclear communication from people in institutions, impersonal care, inflexible schedules, among other factors.
- Intersectional identities influence the perception of institutional violence experienced by immigrant women. Their ethnic-national origin, culture, social class, educational level, religion, mother tongue, age, immigration status, and other identities expose them to racist, sexist, and/or classist prejudices and stereotypes in a context of an assistentialist culture that treats them from a hierarchical and unequal power perspective.
- Immigrant women who are survivors of gender-based violence face a much more complex reality that jeopardizes their physical integrity. Those with irregular immigration status hesitate to report for various reasons. Sometimes, those who report, despite their irregular immigration status, face questions about the purpose of the report from people in the public institutions (especially when the service provider is male).
- Third-sector organizations that support immigrant women observe a perception of racist attitudes and poor cultural awareness concerning women and immigrant communities among individuals working in public institutions serving these groups. This leads to scenarios where services are provided with prejudices and stereotypes that undermine the full enjoyment of human rights for these individuals.
- The immigrant women participating in the focus groups perceive a cultural institutional violence and a coexistence model that doesn't consider interculturality. In this context, they highlight processes of forced acculturation, as they have to reject aspects of their own culture in order to "integrate."



IX. Recommendations

- Promote the conducting of more studies and research related to the violence people face in their interactions with public institutions, particularly to contribute to the debate and conceptualization of institutional violence. This analysis involves looking at institutional and structural practices and the level of tolerance for such violence within a particular society. Focusing on the immigrant population, especially immigrant women, will help prioritize the full enjoyment of human rights over an individual's legal status.
- Strengthen the gender perspective with a multicultural approach in public policies related to transforming power dynamics that underlie discrimination and racism due to the intersection of identities within the immigrant women's community.
- Listen to and strengthen the active participation of immigrant women in the evaluation and definition of public policies related to migration, immigration, and access to basic services from a human rights perspective.
- Actively involve immigrant women in the design of awareness campaigns aimed at eradicating gender, origin, or immigration status stereotypes.
- Strengthen gender equality awareness and multicultural perspective training, including mandatory training, for personnel providing direct assistance to immigrant women.
- Implement or enhance intercultural mediation in the assistance of immigrant women, with a particular focus on survivors of gender-based violence.
- Strengthen the dissemination and access to information regarding available services and resources for the reception of immigrant women.
- Evaluate the requirements for accessing basic services that hinder immigrant women's access to vital services due to barriers and obstacles related to immigration status. This evaluation should be done with the goal of strengthening a human rights perspective and streamlining services, potentially reducing reliance on parallel groups that charge for appointment scheduling.
- Promote and facilitate access to mental health and psychosocial resources for immigrant women, especially those who are survivors of gender-based violence.

- Promote ongoing information programs targeting immigrant women about their rights and reporting mechanisms.
- Promote studies and research with a focus on immigrant women from an intersectional perspective, addressing the violence they face due to gender-based reasons, different forms of discrimination, access to vital services, and the enjoyment of fundamental rights.
- Adopt the proposals contained in the "Decalogue of Good Practices to Combat Institutional Violence" by the Association "Por Ti Mujer" (Decálogo de Buenas Prácticas para poner cerco a la Violencia Institucional) to ensure the full enjoyment of the rights of immigrant women in Valencia. These include: due diligence in protecting and handling cases, timely information, guidance, and referrals, provision of interpreters and mediators, quality and warm advice, validation of women's testimonies, respect and protection of migrant motherhood, expedited registration procedures, guaranteed access to healthcare, streamlined recognition of qualifications, and promotion of job placement according to their experience, and avoidance of discriminatory treatment based on beliefs or appearances.
- Consider the recommendations and proposals for improving public policy presented in reports by networks of immigrant women, such as the Network of Latin American and Caribbean Women, the Association for Research and Expertise on Ibero-American Issues, the Aspacia Foundation, and the Shadow Report on Gender-Based Violence against Migrant Women in Spain for the Committee on the Elimination of Discrimination against Women (CEDAW, 2023), among others.